Northern Ireland
Assembly

OFFICIAL REPORT
(Hansard)

and

JOURNAL OF PROCEEDINGS

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Agnew, Steven (North Down)
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Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
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Official Report
(Hansard)

Assembly Sittings

Northern Ireland Assembly

Monday 6 October 2014

The Assembly met at 12.00 noon (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).

Members observed two minutes' silence.

Assembly Business

George Savage

Mr Principal Deputy Speaker: Members will have been saddened to learn of the passing of George Savage, a former Assembly Member for Upper Bann. I had the pleasure of knowing George from working together during the first mandate from 1998 and subsequently on his return to the House in 2007. He was quiet and unassuming and did not seek the spotlight but worked behind the scenes diligently on behalf of those he represented. He was a fundamentally pleasant and decent man, and you could always do business with him, even on difficult issues. I think that that has been reflected in the warm tributes that have been paid to him since his passing from across the political spectrum in the House.

I want to take this opportunity to extend my personal condolences to his family circle and to all his party colleagues on their sad loss. As we have done on such occasions in the past, I will call a representative from each of the parties to speak for up to three minutes to pay tribute to our late friend and colleague. I will allow around 30 minutes for tributes and, if there is enough time remaining after all the parties have spoken, I may be able to call other Members who rise in their places to say a few words. The House will now pay its respects.

Mr Nesbitt: Two Saturdays ago, I was honoured to attend Craigavon Civic Centre for the installation dinner for the current mayor, Colin McCusker. I was struck by the number of people, from all parties, who remarked on how sad it was that illness had prevented George Savage from attending that evening's celebration. Those were timely remarks. George's funeral took place on Friday in Donaghcloney, and I know that the family was comforted by the very large number of people, representing all sectors of our society, who attended that day. It will be a tough week for Joy and the family, and I hope that they will take some comfort from the fact that we are paying tribute to George in the Chamber today.

George Savage was an Ulster Unionist stalwart, a man who loyally and faithfully represented the party in the upper Bann area for decades. He was a long-standing member of Craigavon Borough Council and was twice elected mayor, serving as first citizen in the mid-1980s and again in 2005-06.

He also served two terms as an MLA here at Stormont. He was elected first in 1998 and again in 2007. The first time, of course, was the original mandate of this Assembly, when he joined a brave and courageous team at Stormont, trying to make it work.

He also found time to put on the uniform and serve in the Ulster Defence Regiment during some of the darkest days of our Troubles. Those are the facts. Behind facts, of course, lies the person. George Savage was, indeed, an Ulster Unionist to his backbone and a proud Orangeman. A farmer by profession, he became a knowledgeable member of the Agriculture Committee. George was also a tireless worker for his constituents and was held in high esteem by political friend and foe alike. He was described by the SDLP's Dolores Kelly as a decent, hard-working and well-respected man, and by John Dallat as a gentleman who gave his full commitment to making the Assembly work. Many Assembly staff with no connection to party politics have gone out of their way, in recent days, to make clear their sadness at the news of his passing.

I cannot help but pause, at this point, to reflect that George was one of the original 28 Ulster Unionist MLAs elected in 1998 to Parliament Buildings to try to give meaning to the Belfast Agreement. It is a sad and sobering thought that he is the sixth member of that team to pass away. This year, alone, we have bade farewell to David McClarty, Sir John Gorman and Sam Foster, following the early losses of Tom Benson and junior Minister James Leslie. Now, sadly, it is the turn of George Savage. Our thoughts are with his family and many friends. He will be greatly missed in Upper Bann and much further afield.

Mr Moutray: I count it a great privilege to be afforded the opportunity to take part in this tribute to my friend and colleague, not only in the House but for some 13 years on Craigavon Borough Council. George was a quiet, unassuming, affable and mildly spoken person who was not given to rash words even in the heat of debate. He treated everyone the same, no matter what their station in life. His commitment to constituents was second to none. For nearly 40 years, he was an elected representative who was always approachable and contactable, even in his farmyard, as was often the case. His love of farming and country life was known far and wide.

Such was George that his friendship spanned beyond these shores. He was influential in the linkage between Craigavon Borough Council and Ballina in County Mayo. George made many lasting friends as a result, and he attended festivals in Mayo on a yearly basis. George was a giant in agriculture. He farmed extensively near Donaghcloney. He served as Deputy Chair of the Agriculture Committee and on the Northern Ireland Drainage Council, and chaired the SOAR rural partnership.

Some year ago, I was in the south of England and, in a second-hand shop, I picked up a book that referred to the Savages being resident in Donaghcloney for some 300 years. I gave the book to George on my return and he was delighted because he was, justly, proud of his ancestry. He was also proud of his family: of Joy; of his sons Kyle, George and Nigel; and of their families.

Last Tuesday, George would have been 50 years married to Joy. His son Nigel spoke eloquently on Friday about the saving faith that his father had. I trust that, in the days that lie ahead, that will help sustain the family. They have the knowledge that it is, truly, absent from the body but present with the Lord. I extend sincere condolences on behalf of the DUP to Joy, Kyle, George, Nigel, their families and the Ulster Unionist Party on the passing of a real gentleman. Thank you.

Mr O'Dowd: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I first got to know George Savage in 1997, when I joined Craigavon Borough Council. In Craigavon and, indeed, across the North, 1997 was a very difficult year, with tragedies on all sides of the community and intense conflict on our streets, which was reflected in our Craigavon Borough Council debating chamber. In that atmosphere, it would have been perceived to be difficult to engage or make friends with a unionist, but, in George's case, it was not. George and I come from opposite poles; George was a former UDR soldier, an Orangeman and a proud Ulster Unionist. He knew that I was an Irish republican, but in no way did that come between us being able to engage with each other on a personal or a constituency level to assist our constituents across the board. I learnt a lot from George Savage in terms of not only his determination to represent his constituents but how to work as a team player across the council chamber to achieve what was best for the people of Craigavon. Despite all the pressures that we were under in Craigavon over many years, we did that quite often.

When I heard that he was ill and that he had passed away, it came as quite a shock because he was always out and about. I often met him in this Building, even after he had retired as an MLA. He was still up here lobbying and representing his constituents and the rural community and ensuring that their voice was heard. A tribute to him especially is that the new generation of Sinn Féin councillors on Craigavon council — I think of our current deputy mayor, Catherine Seeley, and our group leader, Gemma McKenna — speak very highly of George as well. Those are new young councillors going into Craigavon council. As the deputy mayor said the other night, she was often late for a council meeting because George was outside the chamber telling her stories. He made an impact across the generations.

My deepest sympathy to his family and to Joy. Without doubt the greatest loss is to his family, but the rural community and Craigavon have also lost a great champion. I wish them well.

Mrs D Kelly: On behalf of the SDLP's Assembly and parliamentary group and our local councillors in Craigavon, we place on record our sincere sympathy to Joy and to George's sons, daughters-in-law and grandchildren. I had the privilege of serving for many years on Craigavon Borough Council with George when he played a role as mayor and another as deputy mayor, and I served on numerous committees with him. George was, foremost, as others have said, a family man. He had a long and enduring good relationship not only with his wife and family but with his mother; he often talked about his mother, who lived to a great age.

I was deeply vexed when I heard the nature of George's illness only a few weeks ago, and I was deeply saddened at his sudden passing. George was a decent, hard-working family man. He is one who, in 1998, remained true and resolute in his support of his then party leader, David Trimble, as he made a great compromise to make a better future for everyone in our society. He never wavered in his support nor in his conviction that what he was doing was the right thing.

George, as others have said, was not afraid of building cross-border links; he had a great relationship, as Mr Moutray said, with the communities in Ballina. I know that they, too, will miss him greatly, especially the energy and commitment that he brought. It is only a few months ago that I facilitated a meeting between George and our Environment Minister. George was an employer in the local area, and he had ambitious plans for future development. I hope that those will not be lost; I am sure that his sons will try to realise their father's ambitions.

I saw a great tribute at the funeral; people from right across the community turned out in their hundreds to pay tribute to George. His loss will be felt, as others have said, right across the community, but it will be felt most around the family hearth. My sincere condolences to the Ulster Unionist Party, which has lost a true friend, and to his family and the wider community.

Mr Lunn: I am conscious of the fact that everybody who has spoken so far probably knew George Savage better than I did. I knew him as a colleague here in the last mandate just for four years, and I got to know him fairly well. I am impressed that there have been such fulsome tributes from what you might call political opponents. It says a lot about George, the man and the politician, that even, dare I say, John O'Dowd from Sinn Féin can pay such a tribute to an Ulster Unionist. That is very good to see.

12.15 pm

George was a gentleman. The word "gentleman" has been used so often, but it does not do any harm to repeat it: he was polite and he was calm. He was the Mayor of Craigavon twice, which was quite an achievement. He was the sort of solid citizen that nobody ever said a bad word about, and why should they have, because he was good man. He was a good family man, a good neighbour and a good politician. He was quiet in his way, fair enough, but a lot of us are quiet in our ways and are just as effective. He will be sadly missed.

I know about his history now: he was a member of the UDR, an Orangeman and a farmer. It was one of his Masonic colleagues who told me, about a month ago, that he was not well at all, but it still came as a big shock that he passed away so quickly.

He was a solid citizen and a solid Ulster Unionist, with a good history in politics and a good history in life. So, on behalf of the Alliance Party, I send our condolences to Joy, his wife, and his three sons, Kyle, George and Nigel, and to the Ulster Unionist community. He will be sadly missed.

Mr McNarry: Like most, I knew George Savage for a long, long time. Throughout that time, it was a pleasure to talk to him, have dealings with him and listen to him. He was an outstanding character — "character" being the operative word — about whom you could say, "He did what it says on the tin." That was specifically George's way of doing business.

I have heard my former colleagues in the Ulster Unionist Party use the word, "stalwart", which in this case is very apt. I offer my sincere condolences to them for the loss that they must feel. There must be a tremor going through George's former constituency and among the people who knew him: he loved them as much as they loved him.

For someone like me, who held him in the highest esteem, these occasions are extremely sad, as they are for us all. It seems that over such a short period, we have been paying tributes, and properly so, in this House to others who have left us. That has become commonplace, but nevertheless I am very pleased that the Assembly allows and dedicates moments like this for Members to make fitting tributes to people, particularly people like George, who will be missed.

He is, as you said Principal Deputy Speaker, our late friend and colleague, and I am sure that his wife, Joy, and his family will receive the message loud and clear of how we held him in such high regard in the Northern Ireland Assembly.

Mr Allister: I first got to know George Savage not through politics but in another walk of life. Some years ago, the Savage family went through a very traumatic experience when one of George's sons was brutally assaulted. I, in my role as counsel, had the privilege of representing the Savage family in the subsequent litigation. I met George, Joy and the son in question frequently over that period, and I found George to be everything that has been said of him: a true gentleman, a man with deep concern for his family and a man with whom it was a pleasure to work.

As an MEP, I had some interchange with him in pursuit of agricultural issues, and there too he was most diligent in all that he did.

So, it was with sadness that one learned of his passing. To his wife and family, I convey my condolences and those of my party. To his party, to which he undoubtedly was a very faithful servant, I, too, express condolences on the loss of someone whom it was good to know.

Mr B McCrea: George was a friend of mine. I look back on our interactions with much fondness. There was always a sense of humour with George when you were speaking to him. You sometimes had to wait a little while to discover exactly what he was going to tell you, but there was always the great finger that was raised, which indicated that he was about to say something. I was talking to Joy about it. She said that people sometimes asked how he got that finger. Apparently, a tractor managed to run over it, and, George being George, he just put a bandage on it and carried on. That was the mark of the man. He was very self-effacing, did what had to be done and got on with things.

People here have tended to talk about him being a gentleman and somehow non-controversial. I remember with fondness that he did get his own way through having a particular way of doing things. Even when we had the Belfast Agreement coming up, he told me how he had influence with people who might not have been in the mainstream. He said that he thought that one of the big contributions that he had made was that he was able to talk to people whom others would not talk to.

On such occasions, I am mindful of the family. Those of you who know the family well will know that Joy is facing not just one but two challenges. It is my great hope that things improve with Kyle, who is not particularly well. Joy is one of those amazing women. You talk about great men, but behind every great man there is arguably an even greater woman, and Joy is certainly that.

The Savages made a wonderful contribution to our society. George made a great contribution to the Assembly. When you get to the end of your life, all that you can really do is to look back and have others say, "He did well".

George Savage, a gentleman and a friend, will be sadly missed. I offer my condolences to his family.

Mrs Dobson: It is always hard to join the House on these occasions. However, this afternoon, it is doubly difficult when we are paying tribute to a personal friend and party colleague.

My thoughts and prayers are with Joy, Kyle, Nigel, George Jnr, George's seven grandchildren and his entire family circle. They have lost a loving husband, devoted father and doting grandfather. The community of Donaghcloney and Waringstown has lost a lifelong friend, neighbouring farmer and committed politician.

As was said, above all, George Savage was a good and decent public servant, serving the constituents of Upper Bann on these very Benches and always staying true to the core values of the Ulster Unionist Party, putting his constituents and the community above all else. George stood fast and firm to our values.

My first memories of George are as a neighbouring farmer when, after my marriage, we moved to Waringstown and set up home. Back then, any time that I had the privilege to chat to George, politics was never mentioned. I believe that that sums up George. He was always asking how my son Mark was keeping, and then the topic changed to beef prices and farming. He was a man who put people above politics.

The high esteem in which George was held in the community was evident on Friday when Donaghcloney village came to a standstill. I was proud to join the community in mourning, a community quietly paying their respects and saying goodbye to one of our own.

George was a loyal Ulster Unionist, a member of the loyal orders, a former soldier of the Ulster Defence Regiment and a people's politician, here and on Craigavon Borough Council, and George was so much more than that. He was a loving husband, father and grandfather. He was a quiet man of integrity and honour. On visiting the family's home, I was told by George's son Kyle how much the hundreds of sympathy cards and tributes on social media meant to the family. I know that the tributes this afternoon will add to that. He will be sorely missed by all our numbers.

Mr Anderson: Thank you, Mr Principal Deputy Speaker, for allowing me the opportunity to pay tribute to my good friend and colleague Councillor George Savage. George was indeed one of life's true gentlemen and someone whom I held in the highest regard. He was highly respected in all walks of life, especially within the agriculture and farming industry.

I knew George for many years, but it was not until I was elected to Craigavon Borough Council in 2001 that I really got to know him. We shared many conversations on a wide range of issues, especially on matters affecting the rural community. Being a rural dweller myself, it was always good to have someone like George to call upon when seeking advice on rural and farming issues. I know that I can say without fear of contradiction that George was truly a champion of the rural community, not only throughout Craigavon, where he served as mayor on two occasions, but here in the Assembly, where he served two terms as an MLA for Upper Bann.

George was never one to shirk responsibility and that was very evident in the service that he gave to many organisations throughout his lifetime. He was chairman of Donacloney Primary School's board of governors and a former director of Glenavon Football Club. He was involved in the Mid Ulster Football Association, did charity work with the Buddy Bear Trust and gave many years of service to the loyal and Masonic orders, to name but a few.

George also served with distinction in the Ulster Defence Regiment, in what was a very dangerous and testing time for many serving in our security forces during the Troubles. However, first and foremost, George was a family man. He was happiest at home with his family, working on the farm and enjoying the outdoor life, having often done a day's work before most of us had got out of our bed. George's wife, Joy, often said that she never knew anyone who could change from farm overalls into a business suit as quickly as George could.

At George's funeral service on Friday past, the family minister referred to some of George's trademarks. Those of us who had conversations with George will have heard him say many times, "I know a man", with that famous pointed finger. Today, I can say that I knew a man — a man I was honoured and privileged to have known; a man much respected and highly regarded; a man called George Savage.

George will be greatly missed in his community but most of all by his family. To his wife, Joy, to whom he was married for 50 years, to his sons George, Nigel and Kyle and the entire family circle, and also to his Ulster Unionist Party colleagues, I extend my sincere sympathy and condolences. George's family faces difficult days ahead without their loved one, but they can be comforted to know that George is now safe in the arms of Jesus.

Mr Gardiner: I rise in support of all those who have paid tribute to a former colleague and friend of mine, Mr George Savage. I was privileged to be with George just prior to his death. I got another phone call from his son to say, "Look, you better come out, Sam. Dad's going". I got out, but I was a wee bit too late. Words are not sufficient to pay tribute to George or to talk about the man and his character. He was a great man, very sincere, who was dedicated to his work with his three sons on the farm and to his wife, Joy. I was privileged to serve on Craigavon Borough Council with him on the several occasions when he was mayor, and also privileged to serve in this House with George.

George's word was his bond. At the funeral, people could not get into the Methodist church. There were hundreds upon hundreds of people there to pay their tribute to the great George Savage. I offer my sympathy and condolences from my family to Joy and her three sons. He is safe in God's keeping.

Mr Poots: Without repeating what everybody else has said, I would just like to say that George Savage was a decent, honourable gentleman and a pleasure for all of us to do business with. I called with George around three weeks ago, and we had a good time together. Dr Paisley had just passed at the time, and I was able to tell George of the high regard that Dr Paisley had held him in. Dr Paisley was Chair of the Agriculture Committee while George was Deputy Chair, and I know that Dr Paisley leant on George a lot for advice, as someone working at the coalface. I trust that it was some comfort to George, even at that time, to be told of the high regard in which he was held even by someone of Dr Paisley's standing.

My sympathies go to George Jnr, Kyle and Nigel, and in particular to Joy, who has lost a dear husband.

12.30 pm

Retirement of the Speaker, William Hay MLA

Mr Principal Deputy Speaker: I would like to advise Members that I have received a letter from the Speaker. He expresses his appreciation for the good wishes that have been sent to him from across the House and beyond but has decided that his focus needs to be on his return to health and that it is unrealistic that he will be able to return to exercise the functions of Speaker in the immediate future.

The Speaker is disappointed that he is not in a position to come to the House to announce this himself, but he has informed me in writing that he has decided to proceed with his intention to retire. He will resign as a Member with effect from 12.00 noon on Monday 13 October 2014. In accordance with section 39(2)(b) of the Northern Ireland Act 1998, he will cease to be the Speaker at that time. A copy of the Speaker's letter will be placed in the Library. Following receipt of the letter on Friday, I visited the Speaker and passed on the best wishes of Members.

When a vacancy arises in the Office of Speaker, Standing Order 6 requires the Assembly to proceed to elect a Speaker "as soon as may be". A copy of the Speaker's letter will be forwarded to the Business Committee, and it will be for it to schedule an election for a new Speaker. The Speaker's authorisation, under Standing Order 5(2), for me to exercise all his functions relating to the proceedings of the Assembly, will remain in place until his resignation takes effect next week.

I think that that covers the most immediate operational questions that might come to mind, but Members may seek further clarification from the Business Office.

While we are all sorry about the circumstances of today's announcement, I know that I speak on behalf of the Deputy Speakers and the whole House in wishing the Speaker well in future and thanking him for the dedication and service that he has given the Assembly in the role of Speaker over the last seven years.

I will therefore encourage Whips to consider arrangements for how to formally pay tribute to the Speaker so that the Business Committee can consider those tomorrow for the Order Paper of next week. Let us move on.

Mr Weir: Further to that, I appreciate that arrangements will then be made for a more formal occasion, but I think it appropriate simply to place on record, on behalf of my party and as someone who has served with the Speaker on the Business Committee and the Assembly Commission, my thanks to him for the role that he has performed. It is also appropriate that the House acknowledges its desire to see the Speaker — the soon to be former Speaker — recover and be in the most robust health as swiftly as possible.

Mr Principal Deputy Speaker: Let me just remind the House that I have made arrangements and advised the Whips to consider how best we can pay tribute to a man who justly deserves that. I think that the most appropriate way to do that is to return, upon reflection of today's announcement, to the matter next week. That would be the appropriate opportunity for all Members of the House, if they so desire, to pay tribute to a remarkable servant of this institution. If that is acceptable to Members, we should move on to the next business.

Committee Business

Committee Membership

Mr Principal Deputy Speaker: This is the first of three motions on Committee membership. As with similar motions, it will be treated as a business motion. Therefore, there will be no debate.

Resolved:

> *That Mr Edwin Poots be appointed to the Committee for Agriculture and Rural Development; that Mr Sydney Anderson replace Miss Michelle McIlveen as a member of the Committee for Agriculture and Rural Development; that Mr William Humphrey replace Mr Sammy Douglas as a member of the Committee for Enterprise, Trade and Investment; that Mr Nelson McCausland replace Mr Stephen Moutray as a member of the Committee for Education; that Mr William Irwin replace Mr Sammy Douglas as a member of the Committee for Employment and Learning; that Mr Stephen Moutray replace Mrs Brenda Hale as a member of the Committee for Regional Development; that Mr David McIlveen replace Mr George Robinson as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr George Robinson replace Mr David McIlveen as a member of the Committee for Health, Social Services and Public Safety; that Mr Edwin Poots, Mr Sammy Douglas and Mr Paul Frew replace Mr William Humphrey, Mr Sydney Anderson, and Mr Jim Wells as members of the Committee for Justice; that Mr Sammy Douglas replace Mr Trevor Clarke as a member of the Committee for Social Development; and that Mr David Hilditch and Mr Robin Newton replace Ms Paula Bradley and Mr Mervyn Storey as members of the Committee on Standards and Privileges with effect from Monday 6 October 2014. — [Mr Weir.]*

Mr Principal Deputy Speaker: Order. The next item on the Order Paper is the second motion regarding Committee membership. As with similar motions, it will be treated as a business motion, and there will be no debate.

Resolved:

> *That Ms Rosaleen McCorley be appointed as a member of the Committee for Health, Social Services and Public Safety; that Mr Chris Hazzard replace Ms Rosaleen McCorley as a member of the Committee for Justice; that Mr Phil Flanagan replace Mr Chris Hazzard as a member of the Public Accounts Committee; that Mr Chris Hazzard replace Mr Mitchel McLaughlin as a member of the Committee for Enterprise, Trade and Investment; and that Mr Raymond McCartney replace Mr Mitchel McLaughlin as a member of the Committee for Finance and Personnel. — [Ms Ruane.]*

Mr Principal Deputy Speaker: The next item on the Order Paper is the third motion regarding Committee membership. As with similar motions, it will be treated as a business motion and there will be no debate.

Resolved:

> *That Mr Roy Beggs replace Mr Leslie Cree as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Leslie*

Cree replace Mr Michael McGimpsey as a member of the Committee for Culture, Arts and Leisure; that Mr Michael McGimpsey replace Mr Roy Beggs as a member of the Committee for Health, Social Services and Public Safety; and that Mr Roy Beggs replace Mr Michael Copeland as a member of the Public Accounts Committee. — [Mr Swann.]

Executive Committee Business

Education Bill: First Stage

Mr O'Dowd (The Minister of Education): I beg to introduce the Education Bill [NIA38/11-15], which is a Bill to provide for the establishment and functions of the Education Authority; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Private Members' Business

National Crime Agency

Mr Principal Deputy Speaker: Order. The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes 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 to make a winding-up speech. All other speakers will have five minutes.

Mr Irwin: I beg to move

> *That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs; notes police assessments of over 140 such gangs operating in Northern Ireland; and calls for the implementation, in full, of the National Crime Agency to help deal with this problem, which is particularly prevalent in border areas.*

The need for the National Crime Agency (NCA) to have full powers extended to cover Northern Ireland is recognised by many interested parties, most notably and obviously the British Government, the agencies responsible for administering justice and the courts and those involved in policing. Of course, we in the DUP strongly support that extension. As someone who represents a border constituency, I am well aware of the impact that criminal gangs have on our rural communities by creating victims of crime and the negative impact on the rural economy. We have seen audacious attempts by such gangs to carry out all sorts of crimes, including the exploding of ATMs on the forecourts of garages, the laundering and selling of illegal fuel, the stealing to order of valuable machinery and the worrying trend in the theft of cattle and the illegal slaughter and sale of those animals in the Republic and certain areas such as south Armagh. Those incidents illustrate the need to have at our disposal the expertise and assistance of the National Crime Agency. As we all know, the criminals respect neither borders nor victims in their illegal pursuits.

The work that the NCA is involved in not only relates to the crimes that I have outlined but importantly has a significant role in the area of Internet-based crime. Members will be aware that the United Nations Committee on the Rights of the Child has expressed its strong views on the protection of children online. The UN committee is rightly concerned, as we all should be, about the lack of NCA powers in Northern Ireland, which means that the Child Exploitation and Online Protection Centre is not fully operational here at this time. The entire House should be alarmed about that issue alone. Our children are at much greater risk due to the fact that the NCA is not operational here. I challenge the nationalist parties to explain to the public why they have adopted a negative stance on its implementation here given the UN report and its ramifications. The protection of our children is hugely important and completely necessary and urgent, especially with regard to the Internet and how our children are protected from those who prey on young people online.

I certainly feel that the issue is directly affecting a very broad range of people, from the rural farmer who has valuable machinery stolen to order to those involved in the detection of online crime, such as the serious and sickening issue of child pornography. The National Crime Agency is a body that Northern Ireland simply cannot do without. It operates in other regions of the UK and, at a time when our policing budgets are under severe pressure, it makes complete sense to allow the PSNI to have the necessary assistance of the NCA to carry out its investigative duties. I also believe that the ability to seize assets is vital in the fight against these gangsters, who currently think that they are untouchable.

The reluctance of Sinn Féin and the SDLP to accept the necessity of allowing the NCA to operate and the PSNI to avail itself of its expertise in the fight against crime internationally means that Northern Ireland and its citizens are at a severe disadvantage. The two nationalist parties continually bleat about equality, but, once again, the calls for equality fall short of ensuring that our communities have the very best security and that the organisations tasked with protecting communities have the very best intelligence and powers at their disposal. The nationalist parties have hollow concerns over the accountability of the NCA, yet the organisation is already subject to rigorous scrutiny from Committees in Parliament, such as the Home Affairs Committee, as well as the Office of Surveillance Commissioners and the Investigatory Powers Tribunal. The public have the right to approach these and many more bodies to question any outward operation of the NCA. Representing a border constituency, I have a desire to see criminality and its effects on innocent victims —

Mr A Maginness: I wonder whether the Member will give way.

Mr Irwin: I will.

Mr A Maginness: The Member talks about all sorts of bodies looking at the NCA. Will he tell the House what accountability measures exist presently in relation to the NCA? Please describe to the House the accountability to the Chief Constable and the Policing Board?

Mr Irwin: The accountability measures are mainly based in the UK. Certainly, I have no fear of any accountability measures —

Mr A Maginness: Will the Member give way again?

Mr Irwin: I will.

Mr A Maginness: I am asking the Member particularly about accountability measures in Northern Ireland, not in Westminster or the UK, as you put it.

Mr Irwin: There seems to be real reluctance from the Member and his party. Many people in Northern Ireland will be concerned that the Member and, indeed, his party want to let gangsters roam free and behave as they will. They are burying their heads in the sand if they believe that that is not happening. It clearly is, right across Northern Ireland. Police sources reckon that there are approximately 140 of these gangs. It is sad that we cannot get the terms to tackle those criminal gangsters.

Mr Givan: Will the Member give way?

Mr Irwin: I will.

Mr Givan: The Member will know that the Member for North Belfast is a very well educated man and very capable in his job. Does the Member share my concern that the SDLP and Sinn Féin are providing the obstacle

to the Police Ombudsman being able to hold the NCA to account — currently for non-devolved matters and, into the future, for devolved matters — and that the SDLP and Sinn Féin are preventing the Chief Constable from being given primacy for the NCA's activities in Northern Ireland? They are the ones who are stopping accountability, as opposed to this party.

12.45 pm

Mr Irwin: I thank the Member for his intervention. I agree with him absolutely. Representing a border constituency, I have a desire to see this criminality and its effects on innocent victims significantly stamped out. We have the chance to greatly increase the PSNI's capacity for dealing with it.

I urge the House, on behalf of the victims of such crime, to reconsider the matter and move quickly towards its implementation.

Mr G Kelly: I beg to move the amendment:

Leave out all after "calls for" and insert

> *"statutory provision to be made so that all members of the National Crime Agency on operational duty locally are subject to the same accountability mechanisms and bodies that govern the work of the PSNI and its officers.".*

Beidh mé ag labhairt in aghaidh an rúin seo. I will speak against the motion and for the amendment.

Let us make very clear some of the myths and, at minimum, exaggerations being pointed out here. The NCA already operates in the North on non-devolved matters. That means things like immigration, customs-related crime, fuel laundering and smuggling, which are some of the things that Mr Irwin mentioned. In a way, the core issues are simple, and he pointed them out. The first one is accountability, which was crucial to Patten, crucial to us and crucial to the new beginning to policing. I will return to assets recovery a bit later.

Why do we not want them to be unaccountable? Because our history has demonstrated what unaccountability does. Back in those times, you had a force within a force; you had shoot to kill; you had state agents involved in crime, right up to and including murder; you had confessions beaten out of people going through interrogation centres; and you had a police force — not a service — that acted as front line troops and was involved in collusion and corruption. If you want to know why we are so strong on the issue, the history and the evidence shows why. Let me say this: more recently —

Mr Ford (The Minister of Justice): Will the Member give way?

Mr G Kelly: No. You will have your chance to come back.

More recently, some ex-RUC people who left and got away from the accountability measures brought in by Patten came back in through the retire/rehire revolving door. We have seen that that was much abused in terms of where they were, which created a huge difficulty. At least some of them left specifically because there were accountability mechanisms there, so that they would come back as temporary workers and not be police officers, and then they went back to the old habits of non-accountability. I think that unionists are hankering back to the old situation, and, when there is an opportunity to move forward, they will not take that up.

Mr Humphrey: Will the Member give way?

Mr G Kelly: No, I will not give way.

You will also know that unionists signed up to Patten and eventually, after a long debate, to the transfer of those powers in 2010. Another myth that unionists are promoting — this debate came up close to a year ago — is that the pursuit of organised crime has ceased. Nothing could be further from the truth. The NCA cooperates with an Garda Síochána, the European law enforcement agencies, Interpol and other law enforcement agencies. This question needs to be asked: is the NCA refusing to give information or to cooperate with an Garda Síochána or any other force? The answer to that is no. Most importantly, is it refusing to give any of the information or cooperation that the PSNI needs? No, it is not. On child exploitation, which was mentioned, on drugs trafficking, on cross-border smuggling, on human trafficking — on all those accounts — the answer is no, because they are given the cooperation that is necessary to bring to book the people who are destroying our society. A perfect example of that quite recently was the finding of £100 million worth of drugs on a ship off the coast of Ireland, which the NCA was involved in and an Garda Síochána then moved on. They did not have to do that. It was an Garda Síochána who had the accountability mechanism there. *[Interruption.]* Maybe the hecklers will keep quiet, and I will get on with it.

I have spoken to Keith Bristow, and I know that he wants further cooperation: why would he not? I know that he wants further powers. In a certain way, people who are offered further powers always want them. Maybe that is fairly normal, except if you are in the DUP. Recently they were offered more powers similar to those that have been offered to Scotland and other places, but they seemed to refuse them. Specifically, Keith Bristow wanted the power of police officer for those in the NCA — incidentally, excluding himself. Of course, the British Home Secretary can sort that out. All she has to do is make them accountable to all the mechanisms. If they want the powers of a police officer, make them as accountable as all other police officers are in this jurisdiction in the North.

Mr Ford: Will the Member give way?

Mr G Kelly: No, I will not. *[Interruption.]* Folks, you will have your chance to come back on all this.

What are the unionists and, indeed, the British Home Secretary afraid of? If they agree that our police officers should be accountable — they have agreed to that — what is the problem? Why not make NCA officers accountable also? It is one of the things that I cannot understand, except that you may not agree to police officers themselves being accountable and that you want to go back to the past when that was the case.

Asset recovery is raised again and again. In this instance, the Justice Minister — I am sure that he will speak about it when he gets up — has the power to deal with asset recovery. My party and, I believe, other parties put it to him well before that power ceased last October, I think, that he could have a bespoke process of asset recovery that would take the assets of those involved in serious and

organised crime who are destroying our society. He has refused and continues to refuse to go down the road of having an asset recovery process that can be used here.

Mr Ford: Will the Member give way?

Mr G Kelly: You are going to get up later, so by all means speak then.

Sinn Féin is up for asset recovery from those involved in serious and organised crime.

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. Our experience is that if you leave the loophole — there is a mass of empirical evidence — it will be abused, and that is what we are trying to avoid in this case.

I support the amendment. We should be united, not divided, in arguing for the necessary accountability measures.

Mr A Maginness: Although I disagree with the motion, I welcome the opportunity to debate this important issue and put the facts on the record. First, the SDLP is not opposed in principle to the NCA; we would welcome its resources and so forth. Certainly, we are not opposed to opposing criminality, whether it is organised criminality at an international level, at a national level or whatever. We are vigorously opposed to any form of criminality and welcome resources to deal with it.

Last week in the Chamber, we debated Kincora, and there was almost unanimity on the need for an investigation of that. It was widely accepted in the Chamber that the abuse that took place in Kincora was, in fact, covered up by the intelligence services. It highlights the need for the accountability that was dodged and avoided at St Andrews in relation to the intelligence services, and now it is a timely reminder to the House that the issues that arose in the debate on Kincora last week are relevant to this debate as well. Of course, we are not dealing with the intelligence services —

Mr Humphrey: Will the Member give way?

Mr A Maginness: Let me get on a bit. We are not dealing with the intelligence services per se, but we are dealing with an organisation that styles itself as the FBI of the UK. In those circumstances, you need special rules and regulations to deal with the accountability of that force in relation to Northern Ireland. We know the history of a force within a force, the misuse of the RUC by the intelligence services, the misuse of agents and so forth. We want to avoid that happening again, and we will be robust in defending that position. We do not need any lectures from people on dealing with criminality — we are firm on that — but there must be accountability.

Mr Humphrey: I am grateful to the Member for giving way. He is not frightened of debate, and I welcome that. You talk about resources being applied to dealing with the issue before the House. The last time we debated the issue in the House, the SDLP said that it had concerns — I understand that you are articulating them now — about accountability. You were going to have meetings with the Secretary of State and with the Justice Minister. I ask you this, in all sincerity: how regular have those meetings been? Are you making progress in dealing with the issues that you are concerned about?

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

Mr A Maginness: I am pleased that the Member has raised those issues. There was a very helpful letter from the Minister of Justice in relation to the NCA. That is no secret. In that, a number of issues were raised in it. I am not going to disclose what discussions we have had with the Minister of Justice or, indeed, with the NCA or the Chief Constable, but I will characterise our engagements with all those people as very positive. However, there are still issues to be addressed in relation to accountability. Until those issues are firmly tied down, we will not be supportive of the NCA, in operational terms, in Northern Ireland. I think that that is wise counsel. I do not believe that that is being thran or obtuse or trying to frustrate the rule of law. We know the history; we are right. We are going to get this right, and it is the right approach.

Mr Campbell: I thank the Member for giving way. He is outlining the concerns. He says that progress is being made and that helpful meetings have been held. Does he understand, however, that, while all those meetings are taking place, international criminal gangs are operating here in Northern Ireland, some of which could be prevented from doing so if we had the full implementation of the NCA? Does he accept and understand that?

Mr A Maginness: What I am saying to the House and what I understand very clearly is this: there is a problem with organised crime. We have to address that, and we will. We have PSNI resources here addressing it but not as fully as we want. However, as soon as there is agreement on the accountability measures that we have suggested, we will move towards that. The point I make and emphasise to the House is that, given the experience that we have had, we have got to tie these things down firmly and clearly. It is not right for people to simply say, "Well, look, there's the NCA. We've got parliamentary Committees looking at the NCA, and we've got the Home Secretary and so forth". We cannot accept that. It must be internal to Northern Ireland. The operations of the NCA must be subject to the PSNI and the Chief Constable and accountable to the Policing Board.

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

Mr A Maginness: That is the appropriate approach. That is what we want to see happening.

Mr Dickson: Will the Member give way?

Mr A Maginness: Yes.

Mr Principal Deputy Speaker: Thank you. I call Mr Tom Elliott.

Mr Elliott: Thank you, Mr Principal Deputy Speaker. I am not going to give way to Mr Dickson at this stage.

I believe that the secret is in the name: National Crime Agency. It appears that the two nationalist or republican parties are opposed to it simply because it is a UK national crime agency. What could be wrong with trying to curtail, cut out and stop crime? I am not sure what the argument is about.

1.00 pm

I heard Mr Maginness and others talk about accountability. Let us not forget that, a number of years ago, they approved the devolution of justice here with SOCA in place. The NCA will have much more accountability than SOCA had, so I do not see what the problem is with allowing an organisation to manage itself in Northern Ireland to beat international crime. This is not just about local criminals and localised crime but about international crime. This is about crime that is going on throughout the world that we can do something to stop. Criminals will see Northern Ireland as a back door to the United Kingdom and a back door to Ireland to carry out their criminal activities, and, my goodness, have we not seen plenty of it in Northern Ireland with fuel smuggling, fuel laundering, and contraband cigarettes and alcohol? Why do people not want to curtail that? Why do people not want to stop human trafficking and to use the NCA as a mechanism for doing that? I do not see why people do not want to do that. I do not see why people want to try to curtail the process.

On accountability, I understand that the NCA would not have the powers of a constable in Northern Ireland. I recognise that the two nationalist parties were willing to jump on board with Haass and approve a historical investigations unit. As I understand it, that would have been a stand-alone police force in Northern Ireland separate from anything that you have in the Police Service of Northern Ireland. Were there going to be accountability mechanisms there? I never heard any of the nationalist parties argue for that in the Haass talks, not once. So, I think that people need to get real.

Mr Attwood: Will the Member give way?

Mr Elliott: The only argument that I hear against this from the nationalist parties is that they do not want the National Crime Agency because it is part of the UK. What have you to fear? I will give way to Mr Attwood.

Mr Attwood: For the record, the Haass proposals said that the new arrangements would be accountable to the Police Ombudsman and the Policing Board. We opposed that, because we believed that the new arrangements proposed under Haass should have their own, separate accountability mechanisms. So, yes, we did make the argument. Maybe on those occasions you were not listening very carefully.

Mr Elliott: Mr Attwood is accepting that it was going to operate separately, outside the Police Service of Northern Ireland. He is then concerned that the NCA has accountability mechanisms to the Police Service of Northern Ireland. What does he want? He cannot have it every way. He seems to want his cake and eat it, but, unfortunately, no matter what argument he puts forward, this is because it is a UK national crime agency. That is the reality of it. They just do not want anything that is British in Northern Ireland. Let us get of rid it all. Let us not have it here because it is a UK-established force. I say this to those Members who do not want it: what are you afraid of? Is it maybe because it will investigate some of the criminal activities that maybe some Members in the House have a relationship with? I do not know. Maybe they will tell me. There should be nothing to stop the National Crime Agency from operating to its full potential in Northern Ireland. I think that nationalists and republicans are using excuses, and that is all that it is.

Mr Dickson: I welcome the debate, and I want to make it very clear that we are supporting the motion and opposing the amendment.

The motion does give us an opportunity to debunk some of the myths and, indeed, fears that have been created around this particular organisation. There is absolutely no doubt that the absence of a fully functioning National Crime Agency is negatively impacting on our ability to deal with serious and organised crime. Clear, precise and statistical evidence is available and has been since the National Crime Agency came into being on 7 October 2013. What bit of "Since 2013, you have had time to sort all of this out" do you not understand?

Mr A Maginness: What about accountability?

Mr Dickson: I will come on to accountability.

The Justice Minister has said that there is now clear evidence of a major gap in our ability to tackle serious crime. We are not isolated or immune from these problems in Northern Ireland. There is, as others have said, people trafficking, extortion, money laundering, robbery, drug smuggling and many other serious crimes going on. There are people in this House who, by their actions, are assisting all those crimes to take place. Let us not put too fine a point on it: there are people in this place who are assisting and allowing those crimes to proceed against our citizens in Northern Ireland. Shame upon you.

There are international issues that require an international response, and the purpose of the NCA is to connect our neighbourhood policing to our national policing and our international crime-fighting agencies. The effect of the NCA not operating was explained in more detail recently by the Minister when he told us that there are examples involving child abuse, money laundering and drug importation where the responses were arguably less effective than they could have been had we been able to join up right from the very ground, from neighbourhood policing through national policing in Northern Ireland and right across the UK, reaching right across Europe and beyond its borders.

We have seen an effect on asset recovery. The police are unable to target the assets of criminals. That is less money that is being taken off criminals. We know that the proceeds of that go to communities, but the important thing is that many criminals can only be dealt with effectively by hitting them where it hurts, and that is quite often in the pocket. We are facing international criticism, as has been referred to, with the UN Committee on the Rights of the Child having expressed strong concerns about the absence of necessary powers to effectively address child exploitation.

Our police resources are under strain, and we have all heard the debate around the Budget in recent days. The effect of that and the failure to introduce the NCA has been to skew resources to the PSNI that could have been met nationally by the NCA. You are effectively making us pay for things that other people in the rest of the United Kingdom are having paid for them through the NCA. There is a serious and urgent need for a solution.

While it appears to me at least that Sinn Féin is beyond the pale in this debate, it is disappointing that the SDLP has still not been able to come up to the mark when it comes to acknowledging what has been done and what has been achieved since the agency came into force in 2013. They

have fears and concerns, but I believe that they have been addressed and that now is the time to accept that they have been addressed. You cannot have everything and you will not get everything, but the time has come to accept that what is on offer is not only the best for all the citizens in Northern Ireland but substantially more than in many other regions in the rest of the United Kingdom.

Let us be absolutely clear what has been offered. The NCA cannot use constabulary powers without the approval of the Chief Constable. The director general can be called to attend the Policing Board, making him answerable on how its annual plan is to be implemented, taking account of the Northern Ireland policing plan. The Police Ombudsman's remit will cover all functions of the NCA, and the Criminal Justice Inspection's role will be extended. It is therefore nonsensical for parties to suggest that there is lack of accountability. There is more accountability here than in any other part of the United Kingdom.

Mr Campbell: I thank the Member for giving way. I am glad that he is outlining the degree of accountability that exists. It is just unfortunate that the mover of the amendment has absented himself from the Chamber. He outlined the exact opposite and said that there is no accountability.

Mr Principal Deputy Speaker: The Member has almost a minute left.

Mr Dickson: I wholeheartedly agree with Mr Campbell. Indeed, it is increasingly looking like a deliberate plan to oppose the NCA in all circumstances rather than to accept —

Mrs D Kelly: Will the Member give way?

Mr Dickson: I would have except that the Speaker has only given me one minute and I need to finish this.

It is looking like a deliberate plan to oppose the NCA and its operation in Northern Ireland in all circumstances. Members now need to show maturity and recognise the significant package that is on offer. I encourage Mr Maginness and others to weigh up what is now being offered. You are not going to cross every t and dot every last i when it comes to this. What is on your shopping list is not necessarily on everybody else's shopping list. There are many in the community —

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

Mr Dickson: — who will ask, after this debate, why the SDLP is acting so unreasonably and not picking up on what has been offered to defend all our citizens, which is the introduction of the NCA.

Mr Givan: Tomorrow is the first anniversary of the National Crime Agency. Unfortunately, the only people celebrating will be the criminals involved in human trafficking, drug dealing and some of the vilest crimes that they can inflict on our people in Northern Ireland. People should remember who benefits most from the inability of the SDLP and Sinn Féin to deal maturely and responsibly with the issue. It is no surprise that Sinn Féin cannot do so, but the SDLP is letting down the people of Northern Ireland because of its inability to step out from the shadow that Sinn Féin cast upon it. For too long, they have kowtowed to Sinn Féin on a whole range of policy matters, and here they are doing exactly the same when it comes to policing.

Mr A Maginness: Will the Member give way?

Mr Givan: I will give way to Mr Maginness.

Mr A Maginness: As a simple matter of history, the SDLP joined the Policing Board in 2001; and, in 2007, Sinn Féin joined the Policing Board in the wake of the SDLP and on the basis of the good work that the SDLP had done to build up the PSNI. That is history, so we are not in the shadow of Sinn Féin whatsoever.

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

Mr Givan: Ever since Sinn Féin eclipsed the SDLP in electoral terms, the SDLP has done nothing to try to differentiate itself from the largest nationalist party, and it is time that it started to do that.

Members have highlighted the fact the NCA will not have constabulary powers unless the Chief Constable grants it those powers. The new beginning to policing that Sinn Féin and the SDLP talked about included the Serious Organised Crime Agency continuing to function. The devolution of justice allowed the Serious Organised Crime Agency to continue to function, but now that SOCA has been dismissed and the NCA has come in, they want to revisit all of this and wind the clock back.

Mr Byrne: Will the Member give way?

Mr Givan: No, I will not give way again; I want to make some progress.

Either the two parties got it wrong in the first place and should admit that they got it wrong when they set up the Policing Board and those structures, or they are misleading people by the arguments that they are making here today. Members need to be very serious about this issue because we are talking about serious crime.

Sinn Féin and the SDLP often use the United Nations to advance their progressive, as they deem them, human rights policies. Yet here we have the UN highlighting a serious concern about the rights of children, and they just dismiss what it has to say. I am not usually an advocate of the United Nations, but, on this occasion, it is right. Members who usually support the UN should take some cognisance of what it has to say.

Then we have the PSNI budget and the strain that it is under. Mr Kelly, who is no longer here, interestingly, refused to engage in debate and has now run away, not for the first time, from the debate. He and Mr Maginness continually talk about the cost of policing Twaddell, for example, and yet here we have Westminster wanting to pay for policing in Northern Ireland. However, the nationalist parties are saying that they do not want Westminster to pay for that. When it comes to welfare reform, Westminster needs to open up the coffers and give them the money. They want Westminster then, but when it comes to policing, they do not want the support of a national body. They would rather that the PSNI, which does not have the resources or, let us be clear, the same expertise and specialism as the National Crime Agency in dealing with matters of human trafficking and child exploitation —

Mr Newton: I thank the Member for giving way. My point specifically relates to the point that he is making about the lack of information. Does he agree that, had the unfortunate people in the Tilbury docks incident not created a row and the container had completed its journey, it is unlikely that the information would have been available within the PSNI to pick up, arrest and take before the courts those now alleged to have been involved?

1.15 pm

Mr Givan: I agree. The Member brings us back to a very important point: we are talking about human lives. This is not some technical bureaucratic matter; it is about the impact on real people through not being able to effectively tackle those who are involved in serious organised crime.

As Members rightly highlighted, the NCA currently operates in Northern Ireland but is not subject to the levels of accountability that Members would want. Again, I was not a proponent of setting up the Police Ombudsman's office, but that office would, under these proposals brought forward by the Minister, be able to hold the NCA to account on devolved and non-devolved matters.

There has got to be a point at which people realise that there is a compromise on the table. I would suggest that the compromise nearly goes too far, but we do not always get everything that we want. Members need to recognise that this is as good as it is going to get. There will not be any point in the NCA being in existence if Members want to thwart its ability to tackle crime.

We need to bring this matter to a conclusion. I ask the Minister to bring forward the legislative consent motion (LCM) that is necessary. If he cannot do it, I will work with the Alliance Party and one of its members to bring an LCM to this House. Let us have the debate and let us have the vote on this issue. I trust that Members would not abuse the petition of concern if it came to that point.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I oppose the motion but support the amendment.

Let me deal with the first part of the motion:

> *"That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs".*

Sinn Féin totally supports that part of the motion. We have consistently condemned criminal activity. Communities have a right to live in a safe environment, not to be impacted upon by these criminal gangs and to feel secure and safe in their homes. However, communities and citizens must be protected through the oversight and accountability of law enforcement agencies. This is the crux of the issue. The NCA, fully implemented in the North of Ireland, will, in effect, be accountable to the Home Secretary and not the Policing Board.

As recently as last week, the Minister responded to my colleague Raymond McCartney on the issue of tackling serious crime, and on making the NCA effective and, most importantly, making it accountable. The Minister said nothing to explain why he believes that all members of the NCA should be subject to the same accountability structures as all members of the PSNI.

Mr Ford: Will the Member give way?

Mr Lynch: No. You will have your say, Minister.

No real claim has been made to date to demonstrate that policing serious and organised crime will be ineffective if the NCA is not fully implemented.

Mr Newton: Will the Member give way?

Mr Lynch: No. If your name is down, you will have your five minutes.

Indeed, there has been opposition to the present NCA model from former senior officers. In reading part of the motion, one would be led to believe that, unless the NCA is not fully involved in this part of Ireland, society will be left to the complete mercy of these gangs. What is the role of the PSNI in tackling organised criminal activity? This is a service that has a budget of almost £1 billion and 7,000 personnel. On the other hand, in the South of Ireland, an Garda Síochána polices four-fifths of this island with a similar budget and under 12,000 personnel. It has to deal with similar organised activity.

The parties opposite argue that, if the NCA is not established in full, there will be limited access to NCA intelligence. That is not true. The previous Chief Constable, Matt Baggott, in answering a question from Pat Sheehan at a Policing Board meeting about whether there would be any restrictions on information-sharing between any of the law enforcement agencies on these islands, answered with an emphatic no. As my colleague Gerry Kelly said in his speech, only last week, we had a good example of this type of sharing of information, where the gardaí arrested a number of criminals off the coast of Cork and captured one of the biggest hauls of cocaine ever in these islands. This was a joint task force involving the Air Corps, revenue services, naval services and the gardaí.

Mr Liam Peakin, the head of the Irish Customs Drug Watch and Law Enforcement department, said afterwards that they have the resources to tackle major drug dealers and that it was an international intelligence-led operation that involved agencies outside Ireland.

Mr Campbell: Will the Member give way?

Mr Lynch: No. That confirmed the point that Matt Baggott made to Pat Sheehan last year. During the arrests and seizure in Cork, the guards were in total control of the operation on Irish soil. There is no bigger crime than trying to land £100 million worth of cocaine in this country, North or South.

I want to close on the aspect of the motion that calls for the full implementation of the NCA to:

> *"help deal with this problem which is particularly prevalent in border areas."*

I live close to Monaghan, Cavan and Leitrim and meet senior PSNI officers regularly. There is no evidence that major organised crime is greater in that region. One of the organised activities in the area is livestock and farm machinery theft. Only last week —

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

Mr Lynch: — the gardaí were successful in an operation against those who are involved in that in County Monaghan, using information from the PSNI. The law enforcement agencies on the island of Ireland are capable of tackling serious and organised criminality without the full involvement —

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

Mr Lynch: — of the unaccountable NCA.

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

Mr Poots: It was an interesting line that the previous Member who spoke took. He seemed to support cuts to policing and railed against everything that was suggested last week about the pressures that police would be put under. He has made it very clear that Sinn Féin thinks that we can do with considerably less police and the services they provide in Northern Ireland. I am interested in hearing that argument develop over the next number of days.

The Assembly does not often bring good news to people, but good news is going out today. There is good news for fuel launderers, cigarette and alcohol smugglers, drug barons, pimps, human traffickers, gangmasters, fraudsters, those who are wrecking our environment through illegal dumping and, of course, the paramilitary organisations. They are getting that good news free and gratis from none other than Sinn Féin — we would well expect them to give them that good news — and the SDLP. They are hiding behind a fig leaf of accountability, but, behind their fig leaf, all we see is nakedness. They have no real substance to their argument, and all those whom I named will be better off as a consequence of their activities.

Mr Wilson: Will the Member give way?

Mr Poots: Yes.

Mr Wilson: I am sure that the Member is not surprised that Sinn Féin wants to protect criminals, especially since most of the criminals who have been referred to were probably their compatriots not so long ago. Does he find it surprising that the SDLP is complicit in that protection of criminals in Northern Ireland and is allowing them to walk away with ill-gotten gains and terrorise the communities in which they operate?

Mr Poots: I know that the public will be hugely disappointed. For a considerable period of time, the SDLP have positioned themselves as the stooges of Sinn Féin. They will never separate themselves from Sinn Féin on any of the big issues. They are like rabbits caught in the headlights.

Mr Byrne: I thank Mr Poots for giving way. Would he accept that it is virtually impossible to run a family-owned private business in parts of Belfast in the pub trade, the fuel business or in amusement arcades? We have the abuse of an official mechanism known as the national charities registry. Fronts for paramilitaries on both sides have become legitimised and a blind eye is being turned to that. We want the NCA to be effective in that regard as well as on the other issues and to have real accountability.

Mr Principal Deputy Speaker: The Member has an extra minute

Mr Poots: Of course I agree with the Member. That is why we want it to happen. That is why we need it to happen. The Member has stated very clearly that the current arrangements are ineffective. Meanwhile, the SDLP are wringing their hands and saying that they cannot change it because we do not have as much accountability for the NCA as we have for the PSNI. It is not that we do not have accountability. It is that we do not have as much accountability as we have —

Mr Byrne: Will the Member give way?

Mr Poots: — no, I am not giving way again, Mr Byrne — with the PSNI. We really need to move ahead with this, and the SDLP needs to look at themselves and who they are is lining up with on this. They are lining up with Sinn Féin and all of the other people that I named at the start. The SDLP needs to reconsider their position. If they have genuine concerns, get them dealt with and let us move on. This business of carrying on and on and on, and delaying, delaying and delaying is brilliant news for all those criminals and gangsters out there.

Mr Frew: I thank the Member for giving way. May I ask a question about the SDLP fighting for accountability? Does the Member know how accountable accountability is? At what cost will that come when we look at criminals who will be able to infiltrate Northern Ireland?

Mr Poots: Accountability is certainly being placed on a pedestal well above actually catching criminals. The public are fed up. I remember, when I was Minister of the Environment, going to Newry and Mourne District Council, and it was fed up with having to clean up the aftermath of fuel launderers who left materials and toxic waste dumped at the side of the road. The council had to spend £1,000 a ton to get rid of it. They are fed up with it. The public are fed up with people having fuel laundering plants dismantled, but nobody ever appearing to be arrested. Who is operating these fuel laundering plants? We need to go after these people in a serious way and ensure that all of the tools are used to tackle it.

The public are fed up with illegal dumps across Northern Ireland, and we do not have that specialist service and support from the National Crime Agency. The public are fed up with the human trafficking that is taking place; with the young girls that are being brought into prostitution and who are being used and abused; with the people who are working in the back streets as cheap labour for gangmasters. We need all the resource that we can get to support us.

George Hamilton made it abundantly clear last week that he does not have that resource. There is the opportunity for us to introduce additional resource to Northern Ireland. There is the opportunity for those people to be held to account —

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

Mr Poots: — in a number of different ways. Get on board, and let us get this organisation in here and get its help.

Mr Attwood: Whilst he did not realise it, Mr Poots has just made my argument. He went on and on — rightly — about illegal fuel dumps. He said, "Sign up to the NCA, because that will deal with it." Explain, then, why, despite the efforts of the PSNI, SOCA and other agencies on this island, virtually nobody has ever been before a criminal court in relation to such matters? If you want us to support the NCA, it has a responsibility to us — to everybody — to prove that it will go after fuel launderers.

The biggest waste dump in the history of these islands lies two miles outside Derry, on top of the River Faughan. Those responsible for it got £50 million out of that dump. It will cost £110 million to clean it up, and that is independent of any leachate that is likely to gush into the River Faughan and the River Foyle, and yet —

Mr Newton: Will the Member give way?

Mr Attwood: Not to you. I will give way to other people. *[Laughter.]* He knows why. That Member knows why.

Yet the police knew nothing about it. The Serious Organised Crime Agency knew nothing about it. It was not on the radar of the organisation that David Ford chairs, namely the Organised Crime Task Force. Nobody knew about the biggest waste dump in the history of these islands. So we have asked the NCA this: convince us that those responsible for that — the organised crime on the island of Ireland — will never again be able to get away with something like that. Show us that all those private arrangements that SOCA enters into — probably not many — are approved by the High Court and that that will become the rule of thumb of the NCA. That is the way to deal with organised crime — by going after all of those involved and ensuring that there are no no-go zones when it comes to organised crime.

Let me explain. *[Interruption.]* You might laugh. I will give way to you if you have any questions.

1.30 pm

Mr Principal Deputy Speaker: Mr Attwood, I may not be able to award you an extra minute if you take interventions. The same goes for Members who speak after you. I am bound by the Business Committee's ruling on the timing of the debate. It is your choice.

Mr Attwood: I was not aware of that ruling. I will check the Speaker's rulings, as I have tended to do.

Let me deal with the issue of the SDLP approach. When it was right to move on policing because the accountability threshold was sufficient, we moved on policing. Why is accountability so important? It is not technical, which is how Mr Givan referred to it. Accountability is the method of ensuring that an organisation accounts for its practices. In that moment, you win community confidence. Any police officer, NCA official or anybody involved in crime enforcement will tell you that community intelligence is at the heart of good attacks on crime. By having proper accountability, you have the mechanisms to ensure that, when the community has doubts, it can have confidence and, when the community has confidence, it provides information and intelligence to the crime agencies, including the NCA.

Paragraph 13 of the Minister's paper says that the Police Service, by giving agreement to operations, becomes accountable to the board for that activity. Does that or does that not mean that all the board's accountability mechanisms — public sessions, private sessions, special committees, section 59 and section 60 requests and all the other arrangements of policing that the SDLP negotiated — will be in place in respect of the NCA? Paragraph 10 of the paper says that the NCA will be required to secure the agreement of the PSNI prior to commencing covert investigations. Does that or does that not mean that all agents involved in that activity will be subject to PSNI requirements? If the PSNI says that they are vetoed, will that mean vetoed, rather than vetoed to a degree? Paragraph 25 is the elephant in the room. Is it credible in this day and age for a Home Secretary, by order, to say that the NCA shall deal with counterterrorism, that there is no role for the Executive or the Policing Board in the North, with all our experience —

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

Mr Attwood: — with the security agency and policing in the past? I ask those questions to represent our concerns.

Mr Nesbitt: The Home Secretary established the National Crime Agency in 2010. Its purpose is:

> *"to lead the UK's fight to cut serious and organised crime."*

I repeat: "the UK's fight". According to the NCA, serious and:

> *"Organised crime is one of the greatest threats to the UK's national security."*

I repeat: "the UK's national security". It is an organisation designed to have national and international reach. It is meant to have:

> *"the mandate and powers to work in partnership with other law enforcement organisations to bring the full weight of the law to bear in cutting serious and organised crime."*

The problem is that the national reach is restricted here in Northern Ireland. The NCA does not have the same mandate and powers in Northern Ireland as in the rest of the United Kingdom. The problem is that it cannot bring the full weight of the law to bear on criminals based here. Those dedicated to child abuse or child exploitation or those who make a twisted living from cybercrime, drugs and the rest find Northern Ireland an attractive place to base themselves.

The NCA is designed to respond on a 24/7 basis. It has three tools in its armoury: it conducts its own operations, it provides operational and specialist support to its partners and it provides clear national leadership that ensures that the UK's law enforcement makes the best of its collective resources. Given that we all woke up this morning to the latest example of how our Budget is broken, with the cuts in the events budget, what responsible politician would not want the full resources of the NCA in play in Northern Ireland? Who, other than the organised criminals themselves, could object to the PSNI being able to call on the expertise of such a body? It is not as if the PSNI has access to the same expertise and specialist knowledge within its own ranks. Even if it did, only last week, the Chief Constable laid out starkly the seriousness of the situation facing the PSNI and its service delivery, following the latest round of budget cuts. Speaking on Thursday, George Hamilton made it clear that the cuts would make the PSNI "unrecognisable". He said that he had been pushed into a "virtually impossible" position and that there would be fewer officers, longer waiting times for non-emergency calls and possibly compulsory retirements. Quite simply, the PSNI and Northern Ireland plc need the National Crime Agency. If it is OK for the NCA to lift suspected child abusers in England, Scotland and Wales, why is it not OK for them to do it in Northern Ireland? Why do they have to ask the Chief Constable to eat into his overstretched resources to make those arrests in this part of the United Kingdom?

Opposition to the NCA has been couched in terms of concerns about oversight arrangements, but many people — not all of them unionist — have grave concerns that that opposition is rooted more in a nationalist ideological opposition to a UK-wide body operating in this part of the United Kingdom. As Mr Elliott reminded the House, when the proposals for dealing with the past were brought forward by Richard Haass, nationalists seemed happy

for a new, separate police force operating here called the historical investigations unit (HIU). That would have been utterly unaccountable to the PSNI. It would have been OK for the HIU to do its own thing but not the NCA. Opponents may argue that there was more chance of the NCA and the PSNI investigating the same individuals at the same time for different reasons, but no one can tell me that there was not a chance that the HIU and the PSNI would also have investigated the same individuals at the same time, each ignorant of the other's intent and therefore each capable of derailing the other's investigation.

The bottom line is that Northern Ireland and its people do not enjoy the same protection as the rest of the United Kingdom, and that is not acceptable. Police assessments state that there are 140 gangs operating in Northern Ireland. The Ulster Unionist Party wants to see the PSNI given access to every possible resource as it works day and daily to fight crime and protect our people. There is no question whatsoever that opposition from the SDLP and Sinn Féin is severely limiting how much the NCA can do in Northern Ireland. On that basis, we reject the amendment and support the motion.

Mr Ford: I welcome the fact that we have the motion before the House today, as I am glad of the opportunity to share with Members the difficulties being faced by law enforcement agencies because of the ongoing situation with the non-operability in the devolved sphere of the National Crime Agency.

As has already been highlighted — Mr Givan referred to the first birthday being tomorrow — the NCA came into operation on 7 October last year, and we have still to reach agreement on its powers extending fully here with appropriate accountability mechanisms.

I have been having talks in recent weeks with most of the Executive parties on the proposal paper that I put forward. There is a significant gap in our law enforcement ability, as anyone who read the Chief Constable's recent comments in the 'Belfast Telegraph' would have seen. It concerns me, as Justice Minister, that we do not have access to the skills and expertise that are available from the NCA and are not easily available to the PSNI. These are not issues of minor crime; they are issues of serious and organised crime both in Northern Ireland and with a reach across these islands and the world.

Recent PSNI figures estimate that 140 to 160 organised crime groups are active in Northern Ireland and there are 800 active criminals. We have had descriptions from different parts of the House of the impacts of organised crime, whether it be drug dealing, fuel laundering, waste dumping or the increasing problem of cybercrime, on which there is a very limited pool of expertise to tackle it at the highest level. We all know, because we discuss it frequently in the House, the damage that human trafficking does: it destroys lives. Northern Ireland is both a transit country and a destination for many traffickers. I believe that the PSNI does an excellent job, but there is no doubt that, once criminals start operating across jurisdictions and international boundaries, as many crime groups do, it needs the support of the NCA, just as the Irish authorities — we had a list from Mr Lynch of all the Irish authorities involved — benefited from that support from the NCA recently when they seized the yacht carrying a significant amount of cocaine. The amount seems to inflate as the debate goes on. I am not sure that it has reached £100 million yet, but it was a significant and serious issue. There is a certain irony that an Garda Síochána can benefit from the full cooperation of the NCA to deal with arresting the occupants of a yacht off the waters of County Cork while some Members of the House will stop the PSNI getting the full benefit. What is even more ironic is that Gerry Kelly, who is, of course, not present in the House, managed to highlight that as one of the specific issues. If I were Gerry Kelly, I would not have scored an own goal like that.

On a resource level, there is absolutely no doubt that, at a time of increasing pressures, the PSNI must be able to tap into the resources that the NCA can provide to undertake or assist in operations. If the PSNI cannot access those resources, we will see officers being redeployed from the crimes that they should be dealing with in the purely devolved, local criminal sphere to deal with the organised issues. NCA officers are currently sitting in Belfast doing back-office work for police services in England, Wales and Scotland because they are not allowed to be operational here. That, at a time of increasing pressures, is utterly ridiculous.

Many Members will have seen the paper that the Chief Constable circulated after he received it from the director general of the National Crime Agency. The paper looked at some of the issues for which we have simply not got the resources that we need to deal with organised crime. I highlighted that at Question Time last week, but let me refer to just a few of those points. Operation Notarise, the UK-wide operation against online child abuse, could not get direct support from NCA officers in Northern Ireland. The PSNI had to carry out the duties that were performed by NCA officers elsewhere, on the basis that the Child Exploitation and Online Protection Centre has been absorbed into the NCA. That is where the UK-wide expertise is, yet those officers cannot be operational on the ground in Northern Ireland. We had an issue of money laundering using pre-payment cards where there was serious need for a complex financial investigation, which, again, is part of the NCA's expertise, but it could not be provided.

Mr Attwood highlighted the issue of the largest waste dump found, I think, anywhere on these islands, on the banks of the Faughan. The NCA was unable to continue the assistance that SOCA gave in the early stages with financial investigations, because it was a devolved issue and the NCA could not continue to provide that support.

Mr Poots: Will the Minister give way?

Mr Ford: I will give way.

Mr Poots: Mr Attwood was also responsible for an organisation called the Northern Ireland Environment Agency (NIEA), which had a key role to play in that. For him simply to place the blame on the National Crime Agency, which did not have the powers to act, is wholly spurious.

Mr Ford: What I want to see —

Mrs D Kelly: Will the Minister give way?

Mr Ford: Aw, come on. *[Laughter.]* I want to see all the relevant agencies joining together in the way that the NIEA was able to send people to the next meeting of the Organised Crime Task Force to discuss some of those issues. Unfortunately, that assistance could not continue. I give way.

Mrs D Kelly: Thank you, Minister. What is totally spurious, of course, was Mr Poots's allegation. As the Minister will know, it was Mr Attwood and the NIEA that highlighted that waste dump, and the NIEA brought to bear its full powers on that.

Mr Ford: Yes, but the point that I am trying to make about joining up is that the NIEA had the duty to identify it, because that is its specific role, but the financial expertise was best available from SOCA, which was then absorbed into the NCA, and that expertise could not continue from within the NCA. We will call that a score draw between Mrs Kelly and Mr Poots.

One other issue that I highlighted last week was the NCA requiring PSNI assistance to search the homes of suspected drug dealers. Other serious incidents under way meant that the PSNI could not respond as quickly as it had hoped in circumstances that may have led to evidence being removed. If the NCA had operational officers here, that work would have been carried out by them. We have already seen the issue of the PSNI losing officers to cover work that the NCA would do otherwise, but in terms of priorities and the difficult pressures that the PSNI is under, as the current budget changes come through, it becomes increasingly difficult for the PSNI to do what is its responsibility, without also carrying out the NCA's responsibility, and to provide the services that our people expect.

1.45 pm

I mentioned it earlier, but let us repeat it: the NCA is the UK centre of expertise in many areas around cybercrime and, in particular, child exploitation online. Those areas cause huge concerns to the people of Northern Ireland. They are areas where the NCA can give arm's-length advice and assistance. The kind of line that was coming from the Sinn Féin Benches was that they can help and they can provide the information. Sure they can, but they cannot put operational officers on the ground — the people who have the direct experience — to go in and investigate what is happening. They have to pass the information on to the PSNI, and the PSNI then has the obligation to carry things through, whereas the expertise and the information reside with NCA.

Of course, one of the key issues is around civil recovery, on which there was a noticeable reluctance on Mr Kelly's part to take any intervention, because it is really the intervention to target the assets of local criminals. That has been lost since 7 October last year. It has not been hampered or reduced and nor does it require additional resources — it has been lost. Mr Kelly spoke about the idea of setting up a separate body for Northern Ireland. Gee, look at the successes we have had on legislation in this place around contentious issues. We have just introduced the Education Bill about three years later than it should have been introduced. If education is contentious, heaven spare us from what would happen if we were required to do separate legislation for our own bespoke body. There is a body that is capable of carrying out civil recovery: the NCA. It is operational in England, Wales and Scotland, and it needs to be operational here to tackle the organised criminals who seek to secrete assets in Northern Ireland.

Mr Wilson: Will the Minister give way?

Mr Ford: I will give way.

Mr Wilson: Does the Minister also accept that setting up a separate body involves additional cost? It still means that there has to be liaison with another body and that is where the gaps in effectiveness fall in dealing with crime that is seamless across international borders.

Mr Ford: Agreed entirely. I was trying to get on and not mention everything, but I am sure that, to the people we represent, the idea of criminals living with their assets secreted in Northern Ireland in lives of luxury, in the middle of what this society is going through, is utterly unacceptable. It is not just people living the life of luxury; it is luxury derived from the misery of other people. At the moment we are doing nothing to tackle it in this jurisdiction. Those are reasons why I believe that we must get the issue of the NCA resolved urgently.

Mr Givan: Will the Minister give way?

Mr Ford: Briefly.

Mr Givan: Is the Minister able to quantify the millions of pounds — just so that we can crystallise the issue for the public — and the extent to which criminals are benefiting and have that money in their back pocket? It would appear that it is not just the millions of pounds they have in their back pocket; it is Sinn Féin and the SDLP as well.

Mr Ford: In brief, the figures show that, last year, there was something like £19 million under investigation in Northern Ireland. This year, it is down to eight-point-something million pounds. I do not have the figures immediately in front of me, but those are roughly accurate.

The proposal that I put forward involved detailed work with the Home Office, the NCA, the Northern Ireland Office, the PSNI and others. In my view, it set out extensive accountability arrangements in line with local requirements and represents a sound and final proposal to enable progress. It represents a realistic, achievable framework. The question is what sort of society we want. Do we want to hamper law enforcement when there is a sensible package available for help?

We had a lot of naysaying in the debate. I will come on to some of the comments that were made by Mr Attwood in particular in a moment, but there was a lot of naysaying from Sinn Féin with absolutely nothing specific. Indeed, Gerry Kelly, in saying nothing at all specific, showed such confidence in his argument that he did not accept a single intervention from any other Member during his 10 minutes. That is an indication of a man who has real confidence in the argument that he is putting forward — real confidence that he has got it right and can deal with interventions from anybody else.

If the situation is not resolved soon, we will have to make arrangements to fill the gaps, because we will have to accept failure. I do not believe that the Assembly should accept failure in this area. I trust that all Members will agree to the motion, and I will certainly oppose the amendment as it is currently formulated, because I believe that it is flawed.

The law already has many different requirements for the NCA because it is a body in Westminster and accountable to the Home Secretary. I will take a quick intervention.

Mr Campbell: The Minister talked about taking steps to fill the gaps. Has he any idea of the cost implications of those measures?

Mr Ford: I think that the technical term is "quite horrific".

The amendment refers to accountability. Let us unpack this and look at what we have. We have the accountability of the NCA to the Policing Board. The director general is required to attend meetings of the Policing Board on request; to consult the board on, and seek its prior consent to, his plans; and to take account of the board's policing plan. The NCA could not exercise constabulary powers or covert investigation powers without the agreement of the Chief Constable. Let me repeat that: the NCA could not exercise those powers without the agreement of the Chief Constable, and the Chief Constable is accountable to the board.

Unlike SOCA, all the NCA's functions, as highlighted earlier, would be subject to investigation by the Police Ombudsman. There would be, through the Police Ombudsman, accountability for all devolved, non-devolved and civil recovery issues. In addition, Criminal Justice Inspection would cover the NCA, as would Her Majesty's Inspectorate of Constabulary (HMIC). So let us not pretend that there is insufficient accountability. I believe that the accountability certainly exceeds that in the rest of the UK and, arguably, in some areas, that of the PSNI.

Mr Attwood made three specific points relating to the paper that I circulated earlier. Let me just respond briefly. He referred to paragraph 13, where it is clear that the accountability of the NCA is to the Chief Constable and the board. Paragraph 10 deals with covert operations and makes it clear that they would be only by agreement with the Chief Constable and subject to the Regulation of Investigatory Powers Act 2000 (RIPA) and the Police Act 2000. Mr Attwood also referred to paragraph 25. I believe that the Department of Justice is bound by annex E to the St Andrews Agreement, which clearly shows how that would be carried through. Indeed, the suggestion from the Home Secretary is that an issue of national intelligence would be carried through only for England and Wales. So there are very clear points there. However, I am grateful that Mr Attwood — unlike Sinn Féin Members — at least put forward some specific concerns and that there has been engagement with the SDLP. I trust that we will very shortly wrap up those final issues.

I also had concerns when I first heard of the Home Secretary's plans for the NCA. That is why I sought and achieved many changes in its operations, and significant discussion has been going on. However, we are now at the end of the road. It is time that Members accepted that we have a good deal. We should resolve these final issues that need to be tweaked; reject the amendment; and pass the motion and the LCM to ensure that we get the benefit of NCA to protect the people of Northern Ireland.

Mr McCartney: Beidh mé ag labhairt in aghaidh an rúin agus ag tabhairt tacaíochta don leasú. I support the amendment and opposed the motion. Let me say first that Gerry Kelly was called away on an urgent matter. I notice that others who made contributions also left the Chamber, but the Minister did not draw any inference from the fact that Alex Attwood was not here.

Mr Ford: Will the Member give way?

Mr McCartney: I have five minutes, and I am not giving way.

Mr Ford: Alex Attwood apologised to me.

Mr McCartney: Gerry Kelly did not apologise to you, perhaps because he did not have the chance to do so, but I noticed that you drew no inference from the fact that Alex Attwood was not here, nor did you say that he had apologised to you. I find you very defensive on this issue. At the core — *[Interruption.]*

Mr Wilson: You still have a rubbish argument

Mr Principal Deputy Speaker: Order.

Mr McCartney: At the core of the debate is accountability, and it is very interesting that most of the Members who spoke today ignored it or tried to suggest that the demand for accountability was not realistic. I think that the Minister said that it was not realistic. It is realistic, and the reason is that, as we know from history and now from current practice, one of the fundamental building blocks of the positive changes made to policing in order to ensure that we did not repeat the mistakes of the past was proper and effective accountability.

I noticed that, when Tom Elliott was speaking, he made some reference to the sort of idea that because it is called "National", the opposition that is coming from Sinn Féin and indeed, as he said, the SDLP was for that result, but I think that he forgot to accept that, if the secret is in the title, it is also in the title of the Assembly that we are in. This is a legislative Assembly. We make legislation for the people whom we represent. That is what we will do. We will make legislation that is relevant to the experience of the people whom we represent. Other people can ignore that. Other people can look to other places to get their lead. We will not. We will be consistent in everything that we do. I notice that Stewart —

Mr Wilson: Will the Member give way?

Mr McCartney: No. I have already said that I have five minutes and I will not get any extra time. It is limited as it is. That, to us, is the core matter. Indeed, even when the Minister was speaking, I think that he accepted that the standards of accountability have made the PSNI a police service that now enjoys the support of people in the North of Ireland. He accepts that the NCA will not be subject to the same level of accountability.

Mr Ford: Will the Member give way?

Mr McCartney: No, I will not give way because —

Mr Ford: On a point of order, Mr Principal Deputy Speaker. Is it in order for a Member to state what somebody else said inaccurately and then refuse to take a point of information?

Mr Principal Deputy Speaker: It is, in fact, a matter for the Member speaking as to whether they give way. Hansard will satisfy everyone as to what was said and who said it.

Mr McCartney: Perhaps Hansard will record what was said and also what was said when I asked that question during last week's Question Time. I asked the Minister whether the NCA was subject to the same accountability mechanisms as the PSNI and he told me that it was not. Maybe, sometimes, when people speak, the metamorphosis comes out and you hear it in a different way. That is what I heard this afternoon and it is what I heard last week. That is what I am saying. If the Minister wants to contradict that, he can. Are those who are operating in the field, in operations and carrying out

investigations, subject to the exact same accountability mechanisms as all PSNI officers? Is it or is it not the case? Silence, as Father Ted once said — *[Interruption.]*

Mr Ford: Will the Member give way?

Mr McCartney: If you want, I will give way, yes. *[Interruption.]*

Mr Ford: Sorry, Mr Principal Deputy Speaker, I was so shocked that any member of Sinn Féin was actually giving way in this debate that I thought it was yet another rhetorical question. I am grateful to the Member for finally getting round to the point of accepting that there is an issue for debate. Of course, somebody who is a member of the National Crime Agency does not have identical accountability mechanisms to those which apply to members of the PSNI, but I have listed all the ways in which they are as close as they can be given that it is a UK-wide body. I listed the accountability mechanisms to the Policing Board, the ombudsman, CJINI, HMIC and everybody you could think of.

Mr McCartney: I suppose that now when the Minister has been asked to reflect on the point of order, he will reflect on whether he actually agrees with what I said despite the fact that he said that I misquoted him. It is very simple. People can call it a fig leaf. They can call it whatever they want. We will not sign up to any body that does not have the same accountability mechanisms as the PSNI. We will not allow the failings of the past to be repeated and revisited here. That is our job. That is our task. That is what we are elected to do. We make no apology for that, nor will we allow inferences or snide remarks to deflect us from what we do. We are here to represent the people who put us here. There will be proper accountability for all policing structures in the North while Sinn Féin has the powers to do anything about it. Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle.

Mr Principal Deputy Speaker: Question Time will commence shortly. We will conclude the debate after Question Time. Members may take their ease while we change the top table.

The debate stood suspended.

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

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Social Investment Fund: East Antrim

1. **Mr Hilditch** asked the First Minister and deputy First Minister how East Antrim is benefitting from the social investment fund (SIF). *(AQO 6737/11-15)*

Mr M McGuinness (The deputy First Minister): A LeasCheann Comhairle, with your permission, I will ask junior Minister Jennifer McCann to answer the question.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): East Antrim is part of the northern zone. A number of projects were prioritised in the northern zone area plan. Indeed, contractors are on site at one of those capital projects, the Causeway rural and urban network capital project, which is the development of a charity hub in Coleraine. In addition, a key revenue project, employment fuel poverty, has just received a letter of offer. That project, worth £1·8 million, will help insulate homes and reduce heating costs in deprived areas in the 10 current council areas across the zone, including in East Antrim. Details of all projects prioritised in the funding allocation for each of the nine investment fund zones are available on the OFMDFM website.

Mr Hilditch: I thank the junior Minister for her answer. The East Antrim area probably did not benefit terribly well from the capital projects. Will there be opportunities in the future to avail of the social investment fund, particularly given the financial difficulties we face, now and in the future?

Ms J McCann: As I said, to date, there are 23 projects, with a total commitment of £34·4 million, across all the social investment zones. As of 1 October, a further 12 projects, valued at £18·8 million, are at final-stage approval. Of that, £12·3 million is for capital projects, and it is expected that those projects will soon be issued a letter of offer as well. There is certainly a further strand of SIF money coming soon.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. What opportunities exist to ensure that the social investment fund adds value and complements other Executive initiatives?

Ms J McCann: We all acknowledge that working in silos does not work, and, yet, for too long, that is really how business has been done. The social investment fund cannot operate in isolation and must integrate and add value to other key policies and initiatives. For example, SIF projects will need to align with the Executive's child poverty strategy to help alleviate poverty among our communities. We are all too aware of the expected projected rise in child poverty levels, and family poverty levels more generally, due to austerity cuts, which are unacceptable. We want this money to make an impact and address evidenced, objective need where there is a clear deficit. There are

also clear links to neighbourhood renewal, education, regeneration and employment programmes, and investment and other initiatives in rural and urban areas. SIF provides a real opportunity to bind those projects together and enhance outcomes, while addressing the gaps that exist.

Victims: Individual Needs Reviews

2. **Mr Campbell** asked the First Minister and deputy First Minister, in relation to the independent assessment of the Victims and Survivors Service's individual needs review, carried out by the Commissioner for Victims and Survivors in 2013, what degree of importance was found to be placed on the need for entirely truthful admissions from people who were involved in illegal activities when the service considered individual needs reviews. *(AQO 6738/11-15)*

Mr M McGuinness: The individual needs review process was established to assess the needs of individual victims and survivors as defined under the Victims and Survivors Order 2006. The process was informed by the key areas of need identified by the Commission for Victims and Survivors in its comprehensive needs assessment.

The purpose of the review was not to extract admissions of any kind from the individuals who presented at the Victims and Survivors Service. Therefore, in delivering the process, the service operated a clear policy of confidentiality for any information provided during the review and ensured that every client completed a declaration to confirm their understanding of the process.

Last year, the Commission for Victims and Survivors commissioned an independent assessment of the Victims and Survivors Service. As part of that, the service has been asked to produce proposals for a new assessment process, and discussions are ongoing. Any process must take account of the sensitivities involved and the need to ensure that victims and survivors are not subject to unnecessary questioning, while still ensuring that the relevant information is secured to make an informed decision, in line with governance requirements.

Mr Campbell: I appreciate the need for entirely innocent victims not to be subjected to unnecessary questioning. However, given that there are those who are not so innocent, such as the deputy First Minister himself in the distant past, how does he feel about owning up to the atrocities that he engaged in as part of a truth recovery process to try to help bring others forward into 2014 with an understanding that people with blood on their hands are prepared to own up and accept the part that they played in the past?

Mr M McGuinness: The definition of a victim is very clear and has been set down in legislation since 2006.

Mr Nesbitt: The deputy First Minister will know that two schemes under the individual needs review that are most favoured by the bereaved — respite breaks and education and training — have both been suspended due to lack of funds. What assurances can he give the House that those funds will be secured under October monitoring, which, I believe, is £3 million, to get to the point where those schemes are back in play?

Mr M McGuinness: The Member is absolutely correct. The schemes are of huge importance to victims and survivors. In our previous Question Time, I made it clear that we intended to deal with that during our agreement in relation to October monitoring. Hopefully, that will be dealt with shortly.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. In the independent assessment, what is the time frame for the implementation of the recommendations?

Mr M McGuinness: In total, there are something like 70 recommendations — 55 from individual reports, and a further 15 from the commissioner's covering advice. Of those, ownership for 52 lies with the Victims and Survivors Service, and ownership for seven lies with OFMDFM. The Department of Health, Social Services and Public Safety has responsibility for two, and the remaining nine have joint ownership. Some 47 of the 70 recommendations have been fully implemented, and 17 have been partially implemented. All the recommendations are due to be implemented by March 2015. Progress against the implementation of the recommendations is monitored monthly via the monthly victims and survivors update meeting. We will continue to ensure that whatever action is taken in respect of the recommendations and, in particular, any others relating to direct victims services not only happens but that they are the right actions that have the desired impact.

Mrs D Kelly: In relation to the support given to victims groups such as WAVE, there were issues around the number of pages in application forms that individuals had to complete. Has any flexibility or consideration been given to the concerns raised by those organisations?

Mr M McGuinness: That has been the subject of controversy for some time. There can be no doubt that the Victims and Survivors Service has taken on board the criticisms that have been made of the difficulties presented, and we await the outcome of its deliberations on how it intends to proceed with that.

Public Appointments: Gender Balance

3. **Ms Boyle** asked the First Minister and deputy First Minister what action they are taking to improve the gender balance in public appointments. *(AQO 6739/11-15)*

Mr M McGuinness: We are committed to achieving greater diversity in public appointments consistent with the overall principle of selection on merit as a means of ensuring effective public bodies. We recognise that some sections of our society are under-represented on the boards of public bodies, and we are working to encourage greater participation from those groups. Our officials have put in place several measures to raise awareness of public appointment opportunities amongst women and members of other under-represented groups. That is an important step in encouraging them to apply.

Secondly, officials have improved the processes for public appointments aimed at making them more accessible and encouraging greater participation. Some of the steps taken include the establishment of an interdepartmental public appointments forum to share best practice across Departments, including increasing diversity. Independent advice will be provided to the forum by a senior academic with considerable experience in equality and diversity issues, producing the twice-yearly 'All Aboard' publication, which gives details of public appointment opportunities arising over the next six months, and circulating upcoming

appointment opportunities to an extensive mailing list of several hundred individuals and organisations, including private and voluntary sector women's groups interested in receiving information on public appointments.

Departments will interview larger numbers of applicants for appointments. Appointment plans will include diversity guidance, which has been developed by the public appointments forum. Rather than making generic appointments, posts are filled to address specific skills in order to build effective teams, and Departments are developing alternatives to established criteria such as better use of presentations.

Ms Boyle: I thank the deputy First Minister for his detailed response, and I commend his Department for what it is doing to address female representation on public bodies. What are the current statistics for female representation on public bodies?

Mr M McGuinness: The recently published public appointments annual report for 2012-13 shows that of a total of 1,050 applicants for public appointments in 2012-13, 317, which is 30%, were women. Of the total number of people appointed in 2012-13, 291, which is 40%, were women. That is a very welcome increase on the 29% in 2011-12. At 31 August 2014, women held 37% of the total number of appointments held. While some progress has been made towards greater diversity, it is clear that further work in raising awareness and encouraging more women to apply for public appointments is needed to ensure an improved gender balance on public bodies.

Mr P Ramsey: Further to Michaela's question, does the deputy First Minister believe that there should be a change in legislation to ensure that groups other than women are included? I attended an all-party group on visual impairment this morning. People who are visually impaired account for only 1% of public appointments across Northern Ireland, and there is discrimination against disabled people generally. Would the deputy First Minister like to comment on that?

Mr M McGuinness: The Member, as do all other Members, knows that in order to get answers we have to have the agreement of the First Minister and the deputy First Minister. I appreciate the Member's point, which is a good one. It challenges us all on the levels of representation that there are for diverse groups in society. I will undertake to have a conversation with the First Minister to see whether more can be done, although I already indicated in my answer that we are not just talking about increased representation for women. We are looking at how other people in society can feel distant from decision-making and at how we, as a Department, can ensure that we are putting in place processes that can create far greater representation across the spectrum.

Jobs: Londonderry

4. **Mr Eastwood** asked the First Minister and deputy First Minister whether their Programme for Government 2011-15 commitment of promoting 1,670 jobs in Londonderry in 2013-14 was achieved. *(AQO 6740/11-15)*

Mr M McGuinness: The Programme for Government 2011-15 includes a commitment to develop the One Plan for the regeneration of Derry, incorporating the key sites at Fort George and Ebrington. Job creation is one of the key priorities of the One Plan, and that is reflected in the milestones and outputs identified for each year of the Programme for Government period. For 2013-14, the programme set a target of 1,670 jobs promoted through the public, community and private sectors, and we are pleased to report that the total number of jobs promoted for 2013-14 that have been identified to date is 1,683. That figure is an estimate based on inputs from all Departments, from Derry City Council and from Ilex's analysis of the impact of the City of Culture.

The jobs to be created have been achieved through small business start-ups and expansions, support from Invest NI and as a result of the City of Culture year. It includes two major inward investments by Fujitsu and Convergys, which together account for over 500 new jobs. I commend all businesses that have created jobs in the city during a very difficult economic period. At the same time, I recognise that much more work still needs to be done.

Mr Eastwood: I thank the deputy First Minister for his answer. We all know that there is a difference between jobs promoted and jobs created and people getting paid to work in those jobs. How many actual, real jobs have been created in the financial year?

Mr M McGuinness: The important thing to remember is that jobs promoted is, effectively, a guarantee of jobs, given the commitments made by different companies, but over a period. These are not jobs that are put in place immediately, but they are not promises; they are firm commitments that are having a very important impact on the employment situation in a city that badly needs jobs created.

2.15 pm

One of the key issues for the One Plan is to create jobs in the city. That is also possibly the biggest challenge, given the current economic climate. Interdepartmental groups set interim one-year targets to align with the One Plan catalyst programmes, and each Department reports back through OFMDFM to the strategy board.

As I said, the jobs target for 2013-14 was 1,670. That target was set in 2010 and was based on a number of assumptions about future development. Among the major inward investments negotiated in 2013-14 was investment by Fujitsu. As the Member will know, the First Minister and I met Fujitsu in Japan, and 192 jobs were then created. Of course, we met Convergys when we were in the United States. It is creating 333 jobs. As well as that, I know that a lot of work is taking place under the auspices of Invest NI. Whilst Invest NI cannot direct companies on where to locate, I think that there is a recognition that, given the difficulties that exist in the north-west, not only in the Derry area but in Limavady and Coleraine, that area needs to be tackled. That is one of the reasons why the Department of Agriculture and Rural Development made a decision to relocate to the north-west.

Obviously, we are continually looking at opportunities to bring jobs to the city. Just last week, the First Minister and I met a potential investor. It looks very promising, and, if it comes to pass, as I expect it will —

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

Mr M McGuinness: — there will be further job announcements in the time ahead.

Mr Wilson: How many of the 1,600 jobs which currently deliver welfare benefits to other parts of the United Kingdom are located in Londonderry? Does the deputy First Minister have any concern that 1,600 public sector jobs could be lost to Northern Ireland? Or, is he more concerned about Sinn Féin's pursuit of power in the Irish Republic than about jobs for people —

Mr Deputy Speaker: The Member has asked his question.

Mr Wilson: — in Northern Ireland?

Mr M McGuinness: I hear the nonsense propagated regularly that Sinn Féin's position on the welfare cuts, which are very ruthless and of which more are promised as a result of last week's Conservative party conference, is all to do with the development of Sinn Féin in the South. That is like saying that we do not care about our neighbours or increased levels of child poverty or low-paid workers whose tax credits are being threatened. Of course, we could get into the politics of "whataboutery". People talk about it costing £40,000 a night to police Twaddell Avenue. That is £280,000 a week. Over 12 months, it is a figure of some £12 million, which could, quite easily, employ 200 new nurses or 200 new teachers.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the deputy First Minister for his response, and I welcome the additional focus and the focus on Derry and the north-west. What progress is being made in relation to the Ebrington and Fort George sites?

Mr M McGuinness: A development framework for the Ebrington site was completed in March 2014. It, ultimately, supported an additional 1,800 jobs in the city and an additional gross value added of £42 million. The framework will, shortly, be submitted for outline planning permission. Current developments on the site include a two-storey underground car park and enabling platform, which have just been completed. Many Members who pass that way on their way to Stormont will have seen that. Commercial opportunity is approved for a further two buildings, and a proposal is being developed for a maritime museum and renovation work to develop a digital and creative industries hub.

The North West Regional Science Park, which I had the privilege of officially opening just a couple of weeks ago, is the first development at Fort George. It was completed recently. On opening, the facility will be 80% occupied, which exceeds its target. The focus there will be on research, development and innovation. I think the fact that the science park is of a regional nature will be a major attractor to that site. It was very encouraging to hear the people associated with the project saying that they envisage a substantial extension to the science park in the time ahead.

So, I think that that, coupled with the many and very exciting expressions of interest that there are in Ebrington, clearly shows that the potential of Fort George and Ebrington to deliver many, many more jobs is very real indeed.

Mr Deputy Speaker: I remind Members to make sure that their mobile phones are not causing interference to the sound system.

Victims and Survivors Service: Budget

5. **Mr McCarthy** asked the First Minister and deputy First Minister for their assessment of the impact that budgetary reductions to the Victims and Survivors Service will have on victims and survivors across the community. *(AQO 6741/11-15)*

Mr M McGuinness: A LeasCheann Comhairle, with your permission, I will ask junior Minister McCann to answer this question.

Ms J McCann: We fully acknowledge that the needs of victims and survivors have to given high priority, and we will continue to work to ensure that they are. We are committed to ensuring that the victims and survivors' budget is protected, and, to that end, we have a bid for £1·3 million in additional funding in October monitoring. We have raised the issue directly with the Minister of Finance and are confident that the budget will be protected at the same baseline — £11·3 million — as in the previous financial year. However, we are also aware that there has been an increase in the number of victims and survivors coming forward to the service.

To protect front line services, and in line with the levels of efficiency savings being sought from our Department and its arm's-length bodies, the Victims and Survivors Service is seeking a 4·4% reduction in administration and in funding to groups. The Victims and Survivors Service has been working with groups to help them find the efficiencies needed, and the service itself has been able to make efficiencies in its running costs to mitigate the impact on its front line services. We remain optimistic that a bid for additional funding for the Victims and Survivors Service will be successful in October monitoring. Funding for victims' services has increased over recent years, with £50 million being allocated for victims during this budgetary round.

Mr McCarthy: I thank the junior Minister for her response. Can she, on behalf of the deputy First Minister, explain why he and the First Minister decided to reduce disproportionately funding to the Victims and Survivors Service by somewhere between 15% and 20% while the Department saw a reduction in its budget of 1·4%?

Ms J McCann: As I said in my answer, there have been efficiency savings of 4·4% right across all arm's-length bodies. Unfortunately, the bid that was made in June monitoring was not met, and that is why we are very optimistic that it will be met in October monitoring. Therefore, the funding cuts that you are talking about had to be implemented in the previous period. We are committed to ensuring that funding is protected for the services that are being delivered to those victims and survivors who need them.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. When does the Minister envisage a new Victims' Commissioner being appointed?

Ms J McCann: As the Member will be aware, the Commissioner for Victims and Survivors, Kathryn Stone, left her post on 12 June 2014. Our officials are currently working through the processes to appoint a new commissioner. The appointment will be regulated by the Commissioner for Public Appointments and will follow the code of practice for ministerial appointments. The process will be taken forward by HR Connect, and advertisements recently appeared in newspapers. The closing date for applications was 12 September 2014, and interviews will take place in the week commencing 13 October. The Victims and Survivors Forum was consulted on the skills and qualities needed for the role, and that was taken into

consideration when finalising the necessary skill sets for the incoming commissioner. I know that the Member will be aware that, as this is a live recruitment process, it is not possible to comment any further.

Mr Deputy Speaker: I remind Members that supplementary questions should link to the original question, which was about budgetary reductions.

Mr A Maginness: The junior Minister has underlined the need for reductions in costs, and so on. Is maintaining and sustaining a service, particularly one that serves as a respite for victims and survivors, not so important that it should remain unaffected by any sorts of cuts? You are sending out the wrong message to victims and survivors if you continue a policy of reduction in cost.

Ms J McCann: The real source of the financial difficulties that we are in today is the result of the Tory Government reducing the block grant from 2011 in real terms by £1·5 billion. We are facing into year four of those cuts, and we will see that being the case with all sorts of funding. I agree with you about victims and survivors funding being crucial. I have met a number of organisations and, indeed, individual victims along with junior Minister Bell in recent days, and we have to look at where those services are being cut, but we also have to remember that this is a result of the Tory cuts to the block grant and is the type of thing that we are seeing being played out and cascading down to impact on vulnerable people and vulnerable groups in our society out there.

Childcare

6. **Mr Brady** asked the First Minister and deputy First Minister how they are taking forward the co-design process in the development of childcare. *(AQO 6742/11-15)*

Mr M McGuinness: LeasCheann Comhairle, with your permission, I will ask junior Minister McCann to answer this question also.

Ms J McCann: We are engaging with the main childcare stakeholders in a detailed co-design process to develop the content of the full, final Bright Start childcare strategy. To date, that has included one-to-one consultation meetings with the childcare sector, all of which are now completed. Childcare strategy development workshops involving all the main stakeholders will explore further the emerging key themes and issues. The first of those took place on 3 October. Following the workshop stage, the Department will publish a consultation document setting out policy proposals for childcare. Consultation will include public consultation events and a request for written responses. We aim to launch our consultation before the end of the year based on the responses received during consultation, and we will liaise with the OFMDFM Committee and develop the consultation document into a final strategy for publication following approval by the Executive.

Mr Brady: I thank the Minister for her answer. Can she outline how the dual aims of child development and childcare solely for reasons of the labour market will be taken forward under the banner of a childcare strategy?

Ms J McCann: Early years interventions and quality childcare, including school-age childcare, are widely accepted as critical factors in a child's development. It is internationally recognised that quality, child-centred activity in a safe place can promote positive interpersonal relations, develop cultural awareness and complement educational provision. An important aim of the Bright Start childcare strategy is therefore to support the development of children and young people and to enable children and young people from all backgrounds, including those most deprived, to avail themselves of life opportunities.

It is not just children who benefit from childcare. Childcare is also a critical enabler to help parents into work, move families out of poverty and help break the cycle of intergenerational deprivation. Supported by an affordable, flexible and accessible childcare sector, parents can access work, improve their workplace skills and their employability or continue to be economically active. Therefore, along with its child development aims, the childcare strategy will aim to ensure that no parent who wants or has a need to work or to undertake work related to training or study will be prevented from doing so by a lack of childcare.

Mrs Overend: As the Executive have rightly put the economy at the heart of their activities, what plans are in place to help local businesses, especially small businesses, that will lose out on National Insurance breaks when the childcare voucher scheme is done away with next autumn?

Ms J McCann: We have already had a number of discussions about the childcare voucher scheme and have met some of the organisations. Indeed, I think that, this week, I am meeting one of the organisations that has raised that issue with us. We will look, as part of the Bright Start strategy, at all areas. I know that the initial stage in the first 15 actions was basically around school-age children and the social economy model, but we are keen to look at all sorts of aspects of childcare that will affect people.

The voucher scheme is part of the Westminster Childcare Payments Bill, and there is a discussion ongoing. We had a meeting last week with members of the Committee in relation to that, and we are very open to meeting again and discussing how we can liaise with the Committee and other interested bodies to see in what way we can take anything forward in our future strategy on that.

2.30 pm

Mr Deputy Speaker: That is the end of listed questions. We now move on to topical questions. Question 8 has been withdrawn.

Talks: Irish Government Role

1. **Mr A Maginness** asked the First Minister and deputy First Minister to assure the House that there will be an active, substantial and sustained role for the Irish Government in the Secretary of State's proposed talks on a number of issues, including the Assembly. *(AQT 1541/11-15)*

Mr M McGuinness: The Member has been around these negotiations as long as I have and is well aware that the Irish Government were involved during the Good Friday negotiations. He is also well aware that the Irish Government were involved during the discussions leading to the St Andrews Agreement and during the discussions on the transfer of power of policing and justice at Hillsborough not so long ago. I think that this is much ado about nothing. I see that the leader of the Ulster

Unionist Party is in the House. He was the one who raised this hare. I think that it is very disappointing and very unfortunate that people try to score a political point on a matter of such great importance.

These discussions will involve both Governments, and they will be watched very closely in Washington, both at the State Department and at the White House. There is a huge responsibility on all of us to play a positive and constructive role in an attempt to find a way through the vexed issues of the past, parades, flags, symbols and emblems, and the budgetary challenges that we, as an Assembly and Executive, face. We will do that only if people approach these subjects in a responsible frame of mind. I think that the comment made by the leader of the Ulster Unionist Party was totally irresponsible.

Mr A Maginness: I thank the deputy First Minister for his reply. He referred to the United States Government. Does he envisage any role for the United States Government during the talks?

Mr M McGuinness: Principally, the discussions will involve both Governments and all the parties, with appropriate representation from the Assembly, certainly all the major parties. The role of the United States Government will probably be along the lines of the one that they played in the Good Friday, St Andrews and Hillsborough agreements, all of which were very important. The contribution made by the United States to our peace process and to the agreements that we have made has been absolutely invaluable. I do not know whether I envisage them sitting at the table, which was not the case during the three previous negotiations. I would have no objection to it — none whatsoever — but everybody would have to be comfortable with that. I think that everybody recognises that, whatever way this pans out, there will be very proactive State Department involvement in the discussions.

Budget Cuts: FM/DFM Discussions

2. **Mr Campbell** asked the First Minister and deputy First Minister what discussions they have had in the past seven days to prepare for the cuts to budgets that will inevitably follow because the agreement that the deputy First Minister reached with the First Minister has been superseded by instructions from the deputy First Minister's leader in Dublin. *(AQT 1542/11-15)*

Mr M McGuinness: This is another fallacy that has been promoted over the last number of months. Nothing could be further from the truth. Never at any stage of any dialogue between advisers in my side of OFMDFM and the DUP side of OFMDFM did the First Minister and I sign off on any agreement about how we would deal with these matters.

We have been involved in important discussions recently. We met the Irish Government on Friday and I met Theresa Villiers on Thursday. These matters were discussed. We also met Alex Salmond in Scotland and were criticised for doing so by the Alliance Party, even though we had very important discussions to agree a trilateral meeting between ourselves, Scotland and Wales, given what everybody agrees have been the very profound implications of the fallout from the Scottish independence referendum. Nobody is under any illusions about what the agenda of the upcoming talks will be.

The First Minister and I met our finance officials and Minister of Finance where they recorded, to our dissatisfaction, the fact that, in the course of the last four years since the Tory-led Administration came into place, that the block grant has been ruthlessly cut each year. On top of that, we have the welfare reform cuts, so we are facing very serious issues in regards to budgetary matters.

Mr Campbell: The deputy First Minister indicated a series of discussions that he has held, but has he given any indication, given that there will be cuts whether welfare reform is introduced or not, whether through him or his counterpart in Dublin, as to what the extent of those cuts will be whichever way the cookie crumbles?

Mr M McGuinness: All of that remains to be seen, given that we are hopefully going to enter into very serious discussions that will include the budgetary situation. The First Minister and I are absolutely agreed that the way in which the British Government have dealt with our block grant, ie, by steadily reducing it over the last four years, is a subject for a big debate between us and the British Government.

Attacks: OFMDFM Condemnation

3. **Mr Douglas** asked the First Minister and deputy First Minister to join with him in condemning all recent attacks, including those in the Fountain estate in the Maiden City, racist attacks in south Belfast and, in particular, the attack last Friday in Convoy in County Donegal. *(AQT 1543/11-15)*

Mr M McGuinness: Without hesitation. Before I was even asked the question, I made it absolutely clear during the course of the North/South Ministerial Council meeting that I was absolutely appalled at the burning of the Orange hall in Convoy. It was not until later in the day that I learned that an attempt was made to burn a Presbyterian church and that the buck eejits responsible went into the church and attempted to burn a bible. That on top of the recent attempt to burn the Orange hall in Newtowncunningham, as well as the racist attacks that the Member mentioned and, of course, the attack on Padraig McShane's house in north Antrim, are all very serious matters that could conceivably have resulted in the loss of life.

There is a responsibility on all of us to make it absolutely clear that there is nothing political about any of this, but there is everything criminal about those behind these attacks, whether those attacks are on churches, GAA premises, individuals, homes or defenceless people who come from other parts of the world to live amongst us. It has to be unreservedly condemned by all of us. We all need to be seen to be giving real leadership in confronting those who are responsible. The police have a big job to do, and I would appeal to everybody in society, including people in County Donegal, that if they have any scrap of information whatsoever about the bigots who were involved in these attacks, they should without hesitation bring that both to the Gardaí and the PSNI.

Mr Douglas: I thank the deputy First Minister for his response. Are there ways in which this Assembly can reassure those communities, particularly those communities that feel very isolated, apart from urging those with information to pass it to the Garda Síochána or to the PSNI?

Mr M McGuinness: When these attacks happen, we need to be clearly seen to stand with those who are attacked. I feel a particular sympathy for people who come from foreign shores and do not have any friends, or have very few friends in the community, for how isolated they must feel when their car is burned or their homes attacked.

There is a huge responsibility on all of us to be seen to be standing alongside those people. Similarly, after the recent attack on the Orange hall in Newtowncunningham, I was very pleased that Pádraig Mac Lochlainn, our TD for the constituency, was there in full support of the Orange Order in the area.

I come from a part of the North where there are good relationships amongst the community; among the Apprentice Boys and the local community in Derry. There is great respect and tolerance for cultural traditions in that city. When I see events taking place in the hinterland of that city that are an attempt to fracture the building of those good relationships, I am horrified. I get very angry. We all need to consistently challenge ourselves to see what more we can do. However, we certainly must be seen to be standing together against racism and sectarianism.

Ministers: Judicial Reviews

4. **Mr Byrne** asked the First Minister and deputy First Minister whether they agree that it looks bad for the Executive and the Assembly when one Minister takes another Minister to the High Court, especially one who has carried out his duties in relation to the publication of the Belfast metropolitan area plan, including consultation with his colleagues. *(AQT 1544/11-15)*

Mr M McGuinness: The Minister of the Environment made his decision in relation to the Belfast metropolitan area plan (BMAP). Over the weekend, that was challenged publicly by the Minister of Enterprise, Trade and Investment. Essentially, the case will find itself before the courts in the context of a judicial review. It is very disappointing that it has come to this. However, from our perspective and without breaking the confidentiality of what is discussed at Executive meetings, as the decision made by the previous Minister of the Environment was effectively supported by the new Minister of the Environment, we were all very conscious that we were heading towards some sort of challenge. Undoubtedly, that will now be played out in the courts.

Mr Byrne: Will the deputy First Minister accept that, after 14 years of discussions, the DRD gave the green light to the Minister of the Environment to proceed? Surely, we are in a process in which the Assembly and the Executive have to demonstrate collective political responsibility. *[Interruption.]*

Mr M McGuinness: I think that I will try to answer that question. That is my job today.

I reiterate what I said — it is disappointing that it has come to this. A Minister has made a decision, there is a question of the Executive responsibilities of individual Ministers, but there is also an issue, as you correctly stated, of the whole approach of collective responsibility of the Executive. We all have to recognise that we are in a five-party coalition in which different parties with Ministers on the Executive have different approaches to subjects. On occasions, it is very hard to get agreement on very challenging issues.

A short while ago, the First Minister and I met our Programme for Government team to go through our Programme for Government commitments. It is amazing the level we have reached in the agreement and in the implementation of those commitments. Of course the media do not talk about that; the media talk about the issues that overshadow all the good work that happens in the Executive and the Assembly.

There are issues out there that are challenging and that have not been resolved. We will undoubtedly face into trying to resolve some of them in the period ahead.

Mr Deputy Speaker: That is the end of questions to the Office of the First Minister and deputy First Minister.

2.45 pm

Culture, Arts and Leisure

Irish Language Spend

1. **Mr Wilson** asked the Minister of Culture, Arts and Leisure to outline the total planned departmental spend on Irish language projects in 2014-15. *(AQO 6751/11-15)*

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): I thank the Member for his question. My Department has planned to spend approximately £3,850,000 on Irish-language projects in the 2014-15 financial year. This figure includes £3 million — *[Interruption.]*

Mr Deputy Speaker: Order. I ask Members to desist from conversation on the Benches.

Ms Ní Chuilín: This figure includes £3,462,107 that has been allocated to Foras na Gaeilge for the 2014 calendar year. Funding is also available from departmental mainstream projects that have an Ulster-Scots, Irish-language or cultural dimension that cannot be separated from the primary funding objectives.

Mr Wilson: I thank the Minister for her answer. What reductions will she make in the Irish-language budget this year as a result of the 6% reduction in her budget, due to her party's decision not to implement welfare reform and, therefore, cause reductions in budgets across the board?

Ms Ní Chuilín: I have no plans to reduce any budgets for the Irish language or Ulster Scots this year.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. An dtig leis an Aire a rá linn, mar gheall ar an rath atá ar Líofa, an dtearna gníomhaithe Albainis Uladh stocaireacht uirthi ag iarraidh tionscnamh den chineál céanna? An mbeadh sí sásta rud éigin a thabhairt chun tosaigh?

Given the success of Líofa, has the Minister been lobbied by Ulster-Scots activists for a similar type of initiative, and has she considered bringing something like that forward?

Ms Ní Chuilín: I have not been lobbied by Ulster-Scots activists in relation to bringing forward a similar Líofa-type project to Ulster Scots. Since September, when Líofa was launched, I have asked the Ulster-Scots Agency and the ministerial advisory group (MAG) on Ulster Scots to bring forward a similar programme. I believe that that would add value to what they do. The MAG Ulster-Scots Academy is facilitating a partnership with other sectoral bodies. Ulster

Scots has strong community links with lifelong learning elements, and I thought that there was an intention to bring something forward in a vein such as that. However, all main sectoral bodies are participating in the work on a collaborative basis. Despite that, there seems to be almost a reluctance to bring a similar initiative forward. I have made it clear that it does not necessarily have to be on the Ulster-Scots language, because I understand that there is no agreed standard. However, I am keen to see some programme or similar initiative based on culture and heritage.

Mr Byrne: Does the Minister accept that the Líofa project has been very successful for people involved in promoting the Irish language, and are there plans to extend it, given that there is a growing participation among groups?

Ms Ní Chuilín: I thank the Member for his supplementary question and absolutely agree with him. At the minute, well over 7,500 have signed up to Líofa. The original target that was set in September 2011 was 1,000 for 2015. That was surpassed by December that year. We then set another target for 2015 again. That was surpassed and set for 5,000. That was again reset at 10,000, given the popularity. We will extend it where the demand is there. I hope to meet some of the other organisations and groups that have expressed an interest in Líofa and bringing it forward, and that includes on an all-Ireland basis. I am certainly happy to extend the programme where the demand is.

Mr Allister: The Minister has already made and announced some cuts in respect of other aspects. Why is it that she is making this boast that, when it comes to efficiency savings in the North/South bodies, such as the language body, she refuses to make them? Now she is refusing to even entertain efficiency cuts that her party, by its actions, is imposing on the rest of government.

Mr Deputy Speaker: The Member has asked his question.

Mr Allister: Why does she think that that particular sector should be immune from cuts? Is it not just typical of the financial anarchy that she is presiding over?

Mr Deputy Speaker: The Member has asked his question.

Ms Ní Chuilín: First, it is not a boast; it is just a statement of fact. There has been a strong reluctance, and indeed a refusal, on my behalf, to bring additional efficiencies to the language bodies as high as 4·5% in addition to what was already agreed.

That would have a particularly huge impact on Ulster Scots. I say with some confidence that the majority of those are from the Protestant, unionist and loyalist community. It is ironic that an Irish republican is protecting the interests of the Protestant, unionist and loyalist community when an elected representative who claims to represent that community wants me to wield the axe on the people who need it most.

Lambeg Drumming

2. **Mr Anderson** asked the Minister of Culture, Arts and Leisure what support her Department provides for Lambeg drumming. *(AQO 6752/11-15)*

Ms Ní Chuilín: I thank the Member for his question. Funding from my Department is available through the Ulster-Scots Agency and the Arts Council. In 2013-14, Lislea Lambeg Drumming Club received £1,500 through the Arts Council's musical instruments for bands programme. In 2014, the Ulster-Scots Agency, through its financial assistance scheme, has allocated £7,750 towards tuition for Lambeg drumming groups. In addition, groups can apply to the Arts Council's lottery-funded small grants programme for tuition and music classes.

Mr Anderson: I thank the Minister for her response. I am here to try to drum up some support for the drumming fraternity. Maybe you are aware that Lambeg drumming is a big thing in County Armagh and throughout my constituency of Upper Bann. It is also very much to the fore in the local Orange lodges —

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

Mr Anderson: — in that constituency. Can the Minister tell me what more she and her Department can do to give more finance and resource? How will the Ulster-Scots Agency be affected by the cutbacks?

Ms Ní Chuilín: The Member was in the Chamber when I answered the question from the Member for North Antrim about additional cutbacks to the Ulster-Scots Agency. I certainly appreciate the work that bands do, particularly in the community and in rural communities, where, more often than enough, the bands are the community and help to bring people forward. It is about demand. If there is a demand, the agencies, which, in this case, are the Arts Council and the Ulster-Scots Agency, will bring forward additional bids. That has not been the case thus far, so there needs to be a head of steam built up in terms of the demand for it. It would be different if it were done in isolation, but the Lambeg drumming club in Lislea has received some small awards from different forms of funding. That seems set to continue.

Mr McMullan: Go raibh maith agat. Will the Minister give a breakdown of funding presently available to bands?

Ms Ní Chuilín: The Arts Council's musical instruments for bands programme provides grants from £500 to £5,000 for the purchase of instruments. That scheme is available to formally constituted bands based in the North. Funding is also awarded by the Arts Council through its lottery-funded small grants programme for band-related activity, which includes equipment and tuition. For items over £10,000, funding is available from its equipment programme. Bands can also apply for funding for musical tuition from the Ulster-Scots Agency through its financial assistance scheme.

Mr Dallat: I thank the Minister for her answer. I am sure that she will recall that one of the most successful groups in Northern Ireland in recent years was called Different Drums. Will the Minister give serious consideration to encouraging the integration of not just the drums but the accordions, pipes and everything else so that we can all enjoy the music together?

Ms Ní Chuilín: I certainly will. The Walled City Tattoo was the culmination of two cultures and communities coming together and celebrating each other's culture with inclusivity, respect and diversity through dance, song and music. If ever there was an example of what we need to do more of, that is one of them.

Mr Swann: I thank the Minister for her answer. I am not letting the Member for Upper Bann steal all the glory; there

is a great Lambeg drumming tradition in North Antrim as well, and they are better drums.

Minister, your Department gives support to the Ulster pipe and drumming schools. Would you consider such an appeal from the Lambeg drumming associations as well?

Ms Ní Chuilín: The Lambeg drumming associations have received funding from the Arts Council, the Ulster-Scots Agency and the ministerial advisory group. As I said to the Member for Upper Bann, if there is a demand for additional funding based on evidence of need, the agencies will happily consider that. It is good to see that the Lambeg drumming associations have such widespread support throughout the House today.

Arts and Culture Strategy

3. **Mr McKay** asked the Minister of Culture, Arts and Leisure whether she has any plans to bring forward a strategy for the arts and culture, similar to the Sport Matters strategy for sport. *(AQO 6753/11-15)*

Ms Ní Chuilín: I thank the Member for his question. I have asked that an arts strategy akin to the Sport Matters strategy be brought forward to increase attendance and participation in the arts whilst contributing to an inclusive society and a stronger economy. The strategy will aim to complement the developing tourism sector, promote the creative industries and underpin the value of community arts and festivals.

It is time that the full benefits and value of the arts to individuals, communities, the economy and wider society are acknowledged and recognised. A draft strategy proposal will be brought forward for public consultation during 2015, and I look forward to meaningful and innovative collaboration and engagement with all stakeholders, including ministerial colleagues, to develop that strategy.

Mr Deputy Speaker: Again, I ask Members to desist from having conversations that disturb those who wish to listen to answers from the Minister. I will remind Members once more, after which I will name those who are interfering.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I welcome the work that the Minister is doing in this area, as someone who knows well the link between tourism and the arts in my constituency. What does the Minister see as the future role for the arts in the North? How can we make them more inclusive and open to people from all backgrounds?

Ms Ní Chuilín: I want the arts to be seen as something that can be enjoyed by everyone across our society and something that can be valued and appreciated by everyone. I also want the arts to be seen as a serious and important career choice for children and to be recognised through education and employment structures.

I also want the arts to be valued as a contributor to health, the economy and, indeed, the whole notion of citizenship. In the economy, I want to see arts that produce the best for people at national, international and local level, including visitors and potential visitors who will see our arts offering as a reason to come here and, more importantly, a reason to return to the island.

Arts have a lot to offer, but in this House some see them as a luxury rather than a right. Until we get to the stage where the need for the arts is recognised across the Executive and across the parties, they will constantly be placed at a disadvantage by some.

Mrs McKevitt: In her reply, the Minister talked about stakeholders. What stakeholders does her Department consult in developing policies? How often is the database held by the Department updated?

Ms Ní Chuilín: I thank the Member for her question. The last strategy for the arts was done in 2001, which, I am sure she will agree, is far too long ago. Back then, the strategy was called Face to Face.

I signed off very recently on terms of reference. There will be full public consultation, which will start in early spring of next year. The consultation will happen in the normal way, but I would like to go out to arts groups, communities and individuals that I have been lobbied by to give them an opportunity to feed in, because a lot of people who work in the sector have a lot to offer but do not often get the opportunity to input into Government strategies. It is really important that we make sure that we go across as many of the communities as possible. So, we should use places such as libraries, schools, residents' groups, community groups and anywhere where there is possible access to the community to make sure this is as broad and inclusive as possible.

Mr McCausland: Within any strategy for the arts and culture, there will be a number of important key organisations. One of those is undoubtedly the Ulster Orchestra. Will the Minister acknowledge the financial issues concerning the Ulster Orchestra and give a commitment to ensuring that it is sustained to play its continued important role in our cultural infrastructure?

Ms Ní Chuilín: The term, "brass neck", comes to mind, but we will say nothing. I value the role of the Ulster Orchestra, but, as the Member will know, I cannot give a commitment to bail-out the Ulster Orchestra or plug the gap that it is experiencing. However, I am really keen to ensure that the Ulster Orchestra continues and that enough stakeholders and sponsorship are brought to the Ulster Orchestra and am happy to assist it. As the Member may be aware, I have plans to meet the Ulster Orchestra very soon, and I look forward to hearing what plans it has to meet the deficit in its budget.

3.00 pm

Boating Infrastructure

4. **Mr B McCrea** asked the Minister of Culture, Arts and Leisure whether her Department is considering the introduction of an annual fee for boat users to fund and improve boating infrastructure. *(AQO 6754/11-15)*

Ms Ní Chuilín: I thank the Member for his question. Responsibility for the management, maintenance, development and restoration of inland waterways for recreational purposes lies with Waterways Ireland, one of the six North/South implementation bodies.

There are currently no plans to introduce an annual fee for boat users. Waterways Ireland operates a charging structure for a variety of services to users of the waterways across the Waterways Ireland network. Those vary from £1 for passage through a lock on the lower Bann to €153 for winter moorings along the Shannon.

Mr B McCrea: Does the Minister think it appropriate that luxury boats should be able to travel without paying a fee when, for example, a car has car tax? Given the lack of capital investment in the waterways, that might be an appropriate way in which to raise the necessary revenue to spend on the infrastructure.

Ms Ní Chuilín: I think that there is a myth that anyone using the waterways has a luxury boat or yacht. Maybe the Member's friends have luxury boats and yachts, but the people whom I have spoken to on the waterways the length and breadth of the island do not. Waterways Ireland's by-laws are out for consultation. It is looking at fixed penalties, speed limits, respectable mooring and responsible parking. From time to time, people cruise up and down the length of our waterways in much smaller and respectable boats but certainly not in anything substantial.

Mr Humphrey: During the Committee's recent visit to County Fermanagh and Waterways Ireland's lovely offices that cost £13·5 million, the chief executive admitted to the Committee that she is having to make choices as to whether to fund some of the jetties that are about to collapse into the lough. What influence can the Minister have — or the tourism Minister, but I ask this in specific regard to your own portfolio — in ensuring that we have investment in the proper infrastructure for those who are tourists, especially those tourists who travel to Northern Ireland to fish and use our waterways?

Ms Ní Chuilín: It is really important that we — in this case, it is Waterways Ireland — manage our budgets appropriately. The cost of the running, maintenance and upkeep of the premises will have been in the original outline business plan.

Are there things that Waterways Ireland could do? It has said, or it has been reported, that it has space and could lease out some of that space to accrue some money that it could spend. There are many things, I am sure, that it could do. Dawn Livingstone is a very responsible chief executive who is more than aware of the potential of tourism and what Waterways Ireland would like to do if given even small amounts of money. Modest investments have gone a long way and accrued a lot of benefits, particularly in rural areas around the waterways. I have no doubt that the chief executive of Waterways Ireland will bring that to our attention at the next sectoral meeting.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Can the Minister give an update on the plans to restore the Ulster canal?

Ms Ní Chuilín: I thank the Member for his supplementary question. The main project was due to commence, and the financial situation, particularly with the Irish Government, put a halt to that. Rather than waiting on the money to be brought in all at once, we are starting to look at options. The Member is aware that there is an inter-agency group set up around the Ulster canal. He raised that through previous correspondence and at meetings.

I am meeting Ms Heather Humphreys, the new Minister for Arts, Heritage and the Gaeltacht, next week to look at ways in which we can start work and start looking at bringing a phased approach to the restoration of the Upper Lough Erne to Clones part of the Ulster canal.

Sport: Greater Participation

5. **Mr Hazzard** asked the Minister of Culture, Arts and Leisure how she is promoting greater participation in sport and physical activity for older people, young women and people with disabilities. *(AQO 6755/11-15)*

Ms Ní Chuilín: I thank the Member for his question. Since 2009, Sport NI has invested funding of almost £48 million towards increasing participation levels across our population through a variety of programmes.

Since Active Communities began in 2010, opportunities have been provided to over 175,000 young people, almost 135,000 females, just over 30,000 people with a disability and over 27,000 older people. Examples of other promotional activity include funding for programmes such as Active Awards for Sport, Active Clubs, boxing investment programmes and ongoing investment in sporting facilities that are developed to encourage participation by all members of local communities.

A range of activities is also provided by other partners involved in promoting opportunities in sport and recreation. Those partners include the sports governing bodies, such as the GAA, rugby and the IFA, and public bodies such as the Public Health Agency and the Environment Agency. Outdoor Recreation and other leisure organisations such as angling clubs have also been included.

Mr Deputy Speaker: I call Jo-Anne Dobson. Apologies, I call Chris Hazzard.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Will she provide an overview of how Sport Matters targets have helped to increase participation among the elderly, women and, indeed, the disabled?

Ms Ní Chuilín: The Sport Matters implementation group looks at the progress — certainly for the period from October to September 2013 — and has recorded progress against each of the targets. The target to increase participation rates amongst older people by 6% is deemed to be on track, with the achievement of an increase by 9%. The target to increase participation rates amongst women by 6% is also on track, with an increase of over 17% so far. The target to increase participation rates amongst people with a disability by 6% is deemed to be on track, but with some delay. In comparison to the Sport Matters strategy, they are certainly on track. I hold the view that the progress is good, but, certainly in the case of disabilities, we are doing well but need to do more.

Mrs Dobson: Does the Minister agree with me that multiple benefits accrue from involvement in sports, not least promoting physical and mental well-being and social inclusion, which all support the health service by reducing demand on cardiovascular, diabetes and obesity services, to name only three?

Ms Ní Chuilín: I wholeheartedly agree with the Member. It is really important. As well as looking at obesity and healthy hearts, we also have the whole area of mental health and healthy minds. Increased sport and physical activity have tremendous health benefits, particularly for older people, who are, at times, forgotten. Looking at tailor-made, bespoke programmes for them is really important, because not only does it keep them active, it keeps them mentally active. The social inclusion brought

forward by some groups that have a sporting and leisure dimension has been proven to be very successful. For all of those reasons that I have outlined — I am sure there are more that the Member and I could mention — investment for sport is really important, particularly for those targeted areas of women, older people and those with disabilities.

Mr Dunne: Does the Minister recognise the need for greater participation by all in sport, and does she agree that the better use of shared facilities between schools and local government would make a positive contribution to that?

Ms Ní Chuilín: Absolutely. Last year or earlier this year, the Minister of Education and I launched guidelines for better sharing of facilities. The guidelines have been in circulation since last year but the idea has been there for decades. The Member may be aware — I am aware from my constituency and the evidence from other constituencies — that there were lots of reasons put up by schools in particular for not opening the gates past 4.00 pm. I think that we have all seen through that. Now schools and boards of governors are willing partners, and the new super councils will be willing partners as well, because, apart from not having the capital investment to build the facilities at the end of each corner — to be flippant about it — it is much better when we share facilities. Not only will the investment be used to better effect but it will actually help to accrue additional investment in the future when there is a better joined-up approach. It will help with sustainability and maintenance of schools.

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

Ms Ní Chuilín: It will also help people to feel part of the community when they are not outside looking in at facilities that they cannot use.

Mr Deputy Speaker: Questions 6 and 12 have been withdrawn.

Capital Projects: South Down/Newry and Armagh

7. **Mr Rogers** asked the Minister of Culture, Arts and Leisure whether her Department has identified opportunities for capital projects in the South Down and Newry and Armagh constituencies for inclusion in the 2015-16 budget. *(AQO 6757/11-15)*

Ms Ní Chuilín: My Department is considering a number of opportunities for capital investment in the South Down and Newry and Armagh constituencies: for example, a proposal is being developed to build a new Armagh city library; and the Armagh Planetarium and Armagh Observatory have registered a requirement for new CCTV equipment and maintenance works. No capital budget exists, as yet, for 2015-16. When the Executive make investment allocations in due course, those and other projects will be considered for funding in light of departmental priorities and the available budget.

Mr Rogers: I thank the Minister for her answer. The south-east coast master plan includes proposals for the development of sports and leisure facilities throughout the towns of South Down. What input has your Department into those proposals?

Ms Ní Chuilín: I have heard of different master plans in different council areas. Certainly, I am happy to write to the Member on the specifics. Needless to say, in the north-west, we have partnered with the Coleraine, Dungiven, Limavady and Derry City councils. I hope to have the same approach across the new council areas. I think that it is a better spend when different agencies, stakeholders and others bring their purses. I will enquire about the south-east coast master plan and write to the Member with details.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Gabahim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Minister, that is welcome news about Armagh, but can you update us on the planned refurbishment of Crossmaglen library? Go raibh míle maith agat.

Ms Ní Chuilín: Work is being led and undertaken by Newry and Mourne District Council. Crossmaglen library is a part of the local community centre, and the council is upgrading the centre's facilities, which, in turn, helps the library. The council is carrying out some small-scale improvements to the library at a cost of £52,000. Libraries NI, which leases the library space from the council, is paying for the work from its resource and maintenance budget and has informed the public of what is happening. During the closure, a temporary mobile library service has operated from the square at Crossmaglen. The library is expected to reopen in approximately a month's time.

Mr Humphrey: I thank the Minister for her answers thus far. She will be aware of Ardaluin Regeneration Trust, which does great work in Ardaluin House in Newcastle, County Down. Many kids from constituencies such as ours have travelled there and will continue to do so from right across Northern Ireland. If there are any extra moneys available in her Department, extra funding — or indeed funding — for equipment or capital investment it would be very much appreciated by the trust because it is pretty much a voluntary activity. People give of their time and talents.

Ms Ní Chuilín: I am familiar with the trust and with the Member's involvement through the work of the Scouts. Other youth and community groups have also visited the premises and availed themselves of those services over decades. I am not aware of any current funding application, but I am happy to make enquiries and copy the Member into correspondence.

T: BUC: Sport

8. **Mr G Kelly** asked the Minister of Culture, Arts and Leisure how she will ensure that areas of multiple deprivation are included in the Together: Building a United Community sports programme. *(AQO 6758/11-15)*

Ms Ní Chuilín: The cross-community youth sports programme, led by my Department, will seek to deliver a meaningful and sustained impact on good relations through the power of sport. Alongside that, the programme will seek to promote equality and tackle poverty and social exclusion.

It is important that the programme is delivered in areas of multiple deprivation, as these often experience significant conflict and interface tension. That is reflected in the fact that two areas selected for the pilot scheme in 2014-15 are areas of multiple deprivation. The roll-out of the programme will seek to identify other suitable areas, rural and urban, to maximise opportunities for young people.

Mr Deputy Speaker: That is the end of our time for listed questions. We move on to topical questions.

Irish National Cycling Championships 2015

1. **Mr McAleer** asked the Minister of Culture, Arts and Leisure whether she agrees that Omagh playing host to the 2015 Irish National Cycling Championships is a remarkable achievement by Omagh Wheelers Cycling Club and will be a great boost for cycling in the area. *(AQT 1551/11-15)*

3.15 pm

Ms Ní Chuilín: I am aware that there was certainly a proposal by Omagh. I am happy to again meet the Member to discuss that further. I believe that competitions and events in cycling and sport and physical activity in particular are to be welcomed. I am particularly delighted when they take place in rural areas. The Member and other Members in this House have often complained that a lot of funding, particularly for sport and physical activity, is based in cities.

Mr McAleer: Go raibh maith agat. Does the Minister feel that her Department can play a role in helping to maximise the sporting, social and economic benefits of that competition for Omagh and the wider area?

Ms Ní Chuilín: In short, yes, but that does not mean to say that the Member can then walk in and expect to get the initiative funded. I am certainly disappointed to hear the Enterprise Minister's comments that events will no longer receive funding. I certainly hope that the Omagh riding initiative is not one of them.

Funding Cuts: Cultural and Sporting Events

2. **Mr Weir** asked the Minister of Culture, Arts and Leisure, in light of the reduction in funding for a range of events across Northern Ireland, most of which are cultural or sporting, what additional assistance her Department can provide. *(AQT 1552/11-15)*

Ms Ní Chuilín: The Member will certainly be aware that, in 2010, the Events Company transferred from DCAL to DETI. That investigation is still ongoing. That is with the regret of even the Enterprise Minister, other Executive colleagues and I. Having even just listened to media reports this morning, I am quite shocked and disappointed that events funding, particularly for tourism, has certainly been scaled back, if not ceased. I will certainly have discussions with my officials and local councils to see what additional funding they can bring forward because it is important that we ensure that those initiatives continue.

Mr Weir: I appreciate the response and the fact that there are constraints on budgets. Does the Minister have any suggestions as to how, either through her Department or arm's-length bodies, they can, at least, give some degree of assistance in kind to those events, which may not be a direct financial contribution, but can perhaps ease the burden in other ways?

Ms Ní Chuilín: Certainly, the skills and experience that DCAL officials and even officials from the arm's-length bodies have in relation to helping people to prepare business plans and possibly attract funding and sponsorship is there. If the Member has any specific examples or requests, I am more than happy to receive them, but let us be clear: what we do not need is a cut in one Department that another Department is expected to pick up. That is not happening either.

Sport Matters

3. **Mr McMullan** asked the Minister of Culture, Arts and Leisure to comment on how the new super-councils will implement the Sport Matters strategy, ensuring full inclusion, particularly in relation to the provision of facilities for the disabled. *(AQT 1553/11-15)*

Ms Ní Chuilín: I thank the Member for his question. I am sure that he was here when we discussed the Sport Matters strategy earlier. It is important that all councils in their current and future configurations are not only part of the Sport Matters implementation group, but actually implement the Sport Matters strategy, particularly in relation to disabilities. Those people need our help more than most. I would be very keen to ensure that the new super-councils play their role as robustly as the old ones did.

Mr McMullan: I thank the Minister for her response. Given that some of the councils appear reluctant to implement the new strategies for sport for the disabled, can she raise that with the Sport Matters implementation group? Go raibh maith agat.

Ms Ní Chuilín: I will actually go further than that. I will ask for an update, certainly from the councils, on the implementation of their disability strategies. I am happy to provide the Member with an update of those when I receive them. As well as that, I will certainly raise it at the next Sport Matters implementation group meeting.

Athletes: Parity of Esteem

4. **Mr Allister** asked the Minister of Culture, Arts and Leisure what progress there has been in attaining parity of esteem for all Northern Ireland athletes to enable them to compete for the national team of their choice rather than their being prevented from competing for the UK if they are attached to Northern Ireland to an all-Ireland governing body. *(AQT 1554/11-15)*

Ms Ní Chuilín: Certainly, in the first instance, athletes who compete in competitions, regardless of the configuration, are the responsibility of the governing body. That is not the responsibility of Sport NI and is certainly not the responsibility of DCAL.

Mr Allister: It is regrettable that the Minister cannot even afford support for the principle of parity of esteem. She mentioned Sport NI. Will she address the discriminatory practice in Sport NI whereby it refuses to fund any group that is attached to a GB governing body if there is an alternative all-Ireland governing body? Will she address that basic discrimination?

Ms Ní Chuilín: I certainly refute the Member's allegation that Sport NI is implementing discriminatory practices. In the past, the Member and other Members have made allegations about some bodies, and the arm's-length bodies in particular. He needs to bring forward the evidence.

Ulster Folk and Transport Museum

5. **Mrs Cameron** asked the Minister of Culture, Arts and Leisure for her assessment of the reduction in public attendance at the Ulster Folk and Transport Museum. *(AQT 1555/11-15)*

Ms Ní Chuilín: I am not aware that there are significant reductions. However, I am happy to query that with officials and copy the Member in to correspondence.

Mrs Cameron: I thank the Minister for her answer. Something was published on that in the local press recently. Maybe, when the Minister has been briefed on it, she will see that there has been a drop in numbers. If so, what might National Museums Northern Ireland do to reverse the trend of reduced visitor numbers to what is a very important part of our cultural wealth in Northern Ireland?

Ms Ní Chuilín: I appreciate the tone in which the Member has asked the question. I have seen things about the museums sector in the press before that, upon investigation, have proven to be unfounded. However, in the spirit of the tone of the question, I am happy to bring it forward to officials, and particularly to the museums sector, to try to find out exactly what is happening. I am happy to write to the Member on that.

Museums: Visitors

6. **Mr Gardiner** asked the Minister of Culture, Arts and Leisure how many local authority museums there are in Northern Ireland and how many visitors they receive. *(AQT 1556/11-15)*

Ms Ní Chuilín: There is a difference between the independent museums, some of the private and voluntary museums, and those in public ownership. That is a fairly detailed question, and the Member will appreciate that I do not have the figures to hand. However, I am happy to write to him with them.

Mr Gardiner: I thank the Minister for saying that she is going to write to me. Are there any plans to merge local authority museums with the restructuring of local government?

Ms Ní Chuilín: Certainly not at this stage. When I was asked to transfer some functions to local government, museums, the planetarium and others were down the list. I refused to do that until I was convinced that local government was in a state to implement not just the services but access for everybody, and to do it on the basis of equality.

City of Culture: Legacy

7. **Mr McQuillan** asked the Minister of Culture, Arts and Leisure, given her plans to filter down the legacy of the UK City of Culture to larger towns like Limavady and Coleraine, how she plans to filter it down to smaller towns like Garvagh, Castlerock and Kilrea. *(AQT 1557/11-15)*

Ms Ní Chuilín: I see that as being, in the first instance, a matter for the council. I do think that small towns and villages have been somewhat overshadowed by bigger towns and cities. If I had the investment to go to every corner of every small town, village or hamlet, I would make it, but we live in the real world. We have made investment through local government and will continue to do that. However, that is on the basis that it caters for all ratepayers and citizens and not just for some.

Mr McQuillan: I thank the Minister for her answer. Does she agree it is important that smaller towns as well as larger towns feel the benefit of the legacy?

Ms Ní Chuilín: Absolutely. The Member will be aware, through his relationship with Limavady Borough Council, of the Stendhal Festival in Limavady. That is a very, very small festival in comparison with the City of Culture in Derry, but it has a very significant impact. It receives a small amount of money. The people in that area, and the people who visited, were delighted to see that such a small place received government attention. That is the way it should be.

Sporting Events: Mid Ulster

8. **Mrs Overend** asked the Minister of Culture, Arts and Leisure whether she is aware that the UK Ireland Junior Open was successfully held recently at Killymoon Golf Club, and considering the excellent facilities in Mid Ulster, including the Mid Ulster sports arena, what she is doing to ensure that those facilities have a good crack of the whip at hosting any such future events. *(AQT 1558/11-15)*

Ms Ní Chuilín: The Member should be aware that responsibility for hosting events and events promotion is with DETI. However, I do not shirk from my responsibility. Events need to be brought right across, as much as possible, and that includes Mid Ulster. Does the new council have any plans to bring forward events? Other councils have approached me about the potential for events and for working in partnership with the Arts Council, the museums sector and the Sports Council, so I am happy to hear from the Member if she has any specific plans.

Mrs Overend: I thank the Minister for that. Given the excellent competition in Cookstown and the fact that the Open Championship is to be held in Royal Portrush very shortly, what is the Minister doing to work with the ETI Minister to encourage more sporting events to come to Northern Ireland?

Ms Ní Chuilín: I have continued and, at times, increased the awards to governing bodies, including the Golfing Union of Ireland. As well as that, through the GAA, rugby, soccer and others, I have met the IFA in particular about bringing competitions here, which includes going across the North — junior competitions, as well, because it is important that we inspire children and young people. It is really important that we still look at opportunities regardless of whether they are in Belfast, the city of Derry, mid-Ulster or wherever. If there are any firm proposals — because, at this stage, it is notional or speculative — I am happy if firm proposals are brought forward not just to the Minister of Enterprise, Trade and Investment but to me, and we will give them due consideration.

Windsor Park

9. **Mr Lunn** asked the Minister of Culture, Arts and Leisure for an update on the redevelopment of Windsor Park, given that, according to yesterday's 'Sunday Life', Linfield and Crusaders have settled their differences about that issue. *(AQT 1559/11-15)*

Ms Ní Chuilín: I do not read the 'Sunday Life' — I know; shame on me. I was not aware of the story yesterday or of the stories previously that have been printed in those newspapers. I am happy to report that the soccer family — the soccer community — is getting on with it despite having differences previously. It is all working to try to provide and compete for new facilities for each of their

clubs. I am not aware of any animosity or ill-feeling as a residue from anything previously.

Mr Lunn: I think that there was some difference of opinion between Crusaders and Linfield, which has now been resolved. Is the Minister satisfied that the concerns of the other Irish League clubs based in the Belfast area will be properly addressed as the saga goes on?

Ms Ní Chuilín: Actually, it is not a saga. If I were to respond to every piece of speculation in the newspapers, particularly some of the Sunday newspapers, I would spend my Mondays and Tuesdays trying to get clarification, to be sitting on Wednesday and Thursday none the wiser. I think that the Member's question is whether local clubs are going to be supported. The answer is, as best possible. In relation to the amateur league in particular, it is important that it gives full inclusion opportunities, and, in turn, that it works with clubs that are involved in the Irish Premier League and works with other partnerships, including schools, community groups, youth clubs and all the rest to make sure that there is greater participation. I think that some of the alleged animosity in the past has been about a perception that some clubs are going to do far better than others without even going through a process in the first place.

Funding Cuts: British Open

10. **Mr Attwood** asked the Minister of Culture, Arts and Leisure to advise the House on any potential consequences for the funding package promised to Royal Portrush Golf Club and the Royal and Ancient Golf Club (R&A) for hosting the British Open in Portrush, given the recent comments about the withdrawal of funding for tourism-related events. *(AQT 1560/11-15)*

Ms Ní Chuilín: I thank the Member for his question. He will be aware that that is in the bailiwick of DETI, but I am happy to forward a copy of Hansard not only to the Minister of Enterprise, Trade and Investment — the tourism Minister — but to the Executive. On receipt of any response or reply, I will copy it to the Member.

Mr Attwood: Does the Minister agree that there needs to be certainty, not doubt, in respect of the proposed hosting of the British Open, not least because the R&A might read Hansard and might look at events in the North and begin to wonder whether it is coming or not. Is there not a need to tie this down so that, whatever the budgetary situation in the life of the next mandate, the funding package promised to Royal Portrush and R&A is guaranteed?

Ms Ní Chuilín: In short, yes, I think that it is important that it is confirmed and that it is tied down. Even just going by what I heard this morning, big ticket items and big public items like that seem a bit more secure than the Cathedral Arts Festival, the Festival or Fools, Féile an Phobail or all the rest. It is important that we get the detail of what is at risk, what is going ahead and what will not get any money at all.

Mr Deputy Speaker: I ask Members to take their ease for a few moments as we change the personnel at the Table.

3.30 pm

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

Assembly Business

Mr Newton: On a point of order, Mr Deputy Speaker. I wish to apologise for not being in my place during topical questions to the Minister of Culture, Arts and Leisure on Tuesday afternoon of last week.

Mr Deputy Speaker: That is noted, thank you.

Private Members' Business

National Crime Agency

Debate resumed on amendment to motion:

> *That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs; notes police assessments of over 140 such gangs operating in Northern Ireland; and calls for the implementation, in full, of the National Crime Agency to help deal with this problem, which is particularly prevalent in border areas. — [Mr Irwin.]*

Which amendment was:

Leave out all after "calls for" and insert

> *"statutory provision to be made so that all members of the National Crime Agency on operational duty locally are subject to the same accountability mechanisms and bodies that govern the work of the PSNI and its officers.". — [Mr G Kelly.]*

Mr Campbell: In winding up I will quickly go over some of the issues raised by a succession of Members. It was a comprehensive debate, which was moved by my colleague, Mr Irwin, who outlined the extent of areas where full implementation of the agency would be of considerable assistance.

Mr Kelly of Sinn Féin proposed the amendment, and he mentioned, as did a number of Members, the tens of millions of pounds' worth of drugs — the Minister of Justice said that that figure seemed to vary depending on which report you read — that were seized off the coast of the Republic of Ireland. However, the irony seemed to be lost on Mr Kelly that that was done with the assistance of the National Crime Agency, the full implementation of which his party resists here.

Mr Alban Maginness stated the SDLP's position of total opposition to criminality, and he mentioned Kincora. He did not relate how that was in keeping with the debate, but I am sure that he will come round to that at some point. Mr Elliott talked about the name of the National Crime Agency and said that the SDLP and Sinn Féin's response might, in part, be because of the term "National".

Mr Stewart Dickson outlined some of the evidence that the failure to fully implement the NCA was limiting the ability to counter crime. He also mentioned an issue that was referred to several times in the debate, which was the failure now to be able to proceed around asset recovery. Mr Paul Givan raised another issue that was also mentioned several times, which was that, previously, the Serious Organised Crime Agency did not appear to instil the same ire, opposition or total objection on the part of the SDLP and Sinn Féin, yet it had less accountability than the National Crime Agency, which I would have thought was a fairly relevant point.

Mr Lynch talked about budget queries and, without irony, about the drugs haul off the coast of the Republic of Ireland.

I presume that Mr Poots was talking, maybe not tongue-in-cheek but certainly he was using irony overload, when he said that the inability to fully implement the National Crime Agency was a good news day for criminals. Of course, he was absolutely right to do that.

Mr Attwood mentioned the maintenance that the SDLP needed to have of further accountability mechanisms. Mr Nesbitt said that the Home Secretary had overall responsibility for national security, and, again, he mentioned the HIU, which was and is unaccountable in the way that the Police Service here is accountable to the Assembly, yet it does not garner the same opposition that, for some reason, the NCA does.

In responding to the debate, the Minister mentioned a number of issues, one of which was human trafficking. Another was online child abuse, which, hopefully, will concentrate the minds of Members when they come to vote on the issue. He also talked about the targeting of criminals' assets. In an intervention, after he had said that we would have to fill the gaps, as he put it, if we did not proceed to fully implement the NCA, I asked him what the costs of that would be. He said that they would be "quite horrific". Those costs are in addition to welfare reform, the penalties and the IT system, and we are being told by the Justice Minister that costs that will be incurred by those who object to the NCA will be "quite horrific". He also said that SOCA was less accountable than the NCA.

Mr McCartney, who made the winding-up speech on Sinn Féin's amendment, used an ominous term. I took a very close note of his terminology. He said, "We will not allow" the NCA to be implemented without the same accountability measures as the Police Service here. I want to move to my own comments in summary, but the "we will not allow" comment from Sinn Féin means that we will all be faced with the quite horrific bill that the Justice Minister talked about.

That is one thing; the implications and cost implications, severe as they are, need to be taken account of. In addition to that and on a separate magnitude, we have outlined, right across the debate, the extent of the problem. I think that everyone accepts that full implementation of the National Crime Agency in Northern Ireland will not be a panacea. It will not mean that, within a few weeks or a few months, all the criminal gangs and international gangs that have connections here will be wiped off the face of the earth. However, it is absolutely clear to the Policing Board, the Chief Constable, the Justice Minister and most Members that failure to implement the National Crime Agency will certainly mean that those criminal elements — those well-organised criminal gangs — will be better prepared to carry out their illegal activities. There are people on the Benches opposite who can help stop them but are deliberately choosing not to do so. When constituents bring to us complaints about online child abuse and its being manipulated from overseas, we will, unfortunately, know where the buck stops. It will be with those who are prepared to say, "We haven't got our mechanisms in place as yet to stop it". When drug trafficking, fuel laundering and all the other issues that need some form of input from the NCA come back to haunt Members, it will be those who have prevented the full implementation of the National Crime Agency who will have to carry the can.

Much mention was made of the case within the past fortnight of the yacht that was seized off the coast of the Irish Republic. With the assistance of the National Crime Agency, the Government of the Irish Republic were able to apprehend the yacht and, as a result, save thousands of people's lives. What happens if the next yacht is identified off the coast of Londonderry, Ballycastle or Larne? What

happens then? What happens if there are thousands, millions or maybe tens of millions of pounds of illegal drugs on board a vessel off the coast of our shores and we are told, "We've got sufficient resources in place to deal with some things, but that's an operation that will require the NCA"?

Are people going to stand on ceremony in the Chamber and say, "We would like a little more accountability, please"? Is that what they are going to say as mothers, fathers and grandparents say, "What about the future of our children being put in jeopardy because some people are standing on ceremony over the implementation of an agency that can help to fight this criminal activity?" It is time for people to call a spade a spade. It is time to step up to the mark, to implement this agency and to engage in real terms with the fight against those who deal in death with our children and our vulnerable sections of our community.

Question put, That the amendment be made.

The Assembly divided:

Ayes 37; Noes 53.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, 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 M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr G Kelly and Mr McCartney.

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

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

Question accordingly negatived.

Main Question put.

Mr Deputy Speaker: I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three minutes and move straight to the Division.

The Assembly divided:

Ayes 54; Noes 36.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

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

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, 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 M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr McCartney.

Main Question accordingly agreed to.

Resolved:

> *That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs; notes police assessments of over 140 such gangs operating in Northern Ireland; and calls for the implementation, in full, of the National Crime Agency to help deal with this problem, which is particularly prevalent in border areas.*

Deep Geothermal Energy

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Flanagan: I beg to move

> *That this Assembly notes the potential that deep geothermal energy has to meet the heating and electricity needs of thousands of households; recognises the potential it has to reduce our reliance on fossil fuels; and calls on the Minister of Enterprise, Trade and Investment to ensure that appropriate legislation and incentives are in place to support the development of this industry.*

Go raibh maith agat, a LeasCheann Comhairle. I start with a word of congratulations to Mr McCrea on his recent appointment. I look forward to working with him in the future.

We need to move away from our over-reliance on fossil fuels and make the most of the opportunities that present themselves to us in the form of clean, green and sustainable sources of energy. Geothermal energy is an environmentally friendly, sustainable energy source that should be an integral part of the mix of energy sources we have.

Certain parts of the North are very well suited to that type of energy generation, particularly the Mournes, parts of the north coast and County Antrim and parts of south-west Fermanagh, ironically where drilling was proposed for fracking. Geothermal energy works in a very simple way. Geothermal power requires no fuel except for pumps. It is therefore immune from fuel cost fluctuations. However, the capital costs associated with it are very significant, and drilling accounts for over half the costs. The exploration of deep resources entails significant risks. For that reason, we need to ensure that this clean, green industry is supported. Personally, I am keen to see this work being taken forward by an arm of the state, by a company established to search for and extract natural resources in the interest of all our citizens and not to serve a small section of shareholders in multinational companies.

The opportunities present themselves from the resource itself. There is plenty of heat in the centre of the earth, and the deeper you dig the hotter it gets. The core is about 4,000 miles beneath the surface and can reach temperatures of over 4,000ºC. Part of that heat is left over from the earth's formation about four billion years ago. The rest comes from the constant decay of radioactive isotopes inside the earth. From hot springs, geothermal energy has been used for bathing for tens of thousands of years and for space heating since ancient Roman times. It is now better known for electricity generation.

In 1892, America's first district heating scheme, in Idaho, was powered directly by geothermal energy. It was copied in Oregon in 1900. In the 20th century, demand for electricity led to the consideration of geothermal power as a generating source. Prince Ginori Conti, from Florence, tested the first geothermal power generator on 4 July 1904. It successfully lit four light bulbs.

William Thomson — better known as Lord Kelvin — who was actually born in Belfast, invented the heat pump in 1852. In 1912, Heinrich Zoelly patented the idea of using it to draw heat from the ground, but it was not until the late 1940s that the geothermal heat pump was successfully implemented. In 2012, around the world, over 11,000 megawatts (MW) of geothermal power was online across 24 countries. An additional 28 GW of direct geothermal heating capacity was installed for district heating, space heating and agricultural and industrial processes across the world by 2010.

Geothermal energy is cost-effective, reliable, sustainable and environmentally friendly, but has historically been linked to areas near tectonic plate boundaries. Recent technological advances have dramatically expanded the range and size of viable resources, especially for applications such as home heating, which opens the potential for widespread exploitation. Geothermal wells release greenhouse gases that are trapped deep within the earth, but these emissions are much lower per energy unit than those of fossil fuels.

As a result, if widely deployed in place of fossil fuels, geothermal power has the potential to help mitigate global warming. The earth's geothermal resources are, theoretically, more than adequate to supply humanity's ever-growing energy needs. However, only a very small fraction may be profitably exploited. Drilling and exploration for deep resources is, indeed, very expensive. Forecasts for the future of geothermal power depend on assumptions about technology, energy prices, subsidies and interest rates. Deep geothermal energy development is a highly developed industry that contributes to the renewable energy mix in a large number of countries worldwide. The use of geothermal energy is most developed in volcanic regions and countries, such as America, the Philippines, Indonesia, Mexico, Italy, New Zealand and Iceland. They all produce significant quantities of electricity from geothermal power.

However, there has been renewed interest in the use of deep geothermal energy in non-volcanic regions, with Germany, Austria, France, Denmark and the Netherlands all showing significant development of their resources, mainly for combined heat and power and direct heating and cooling purposes. We lag behind some of our EU counterparts, who have adopted and supported deep geothermal heat development due to the significant benefits of deep geothermal energy. The geothermal potential of the northern part of this island has been extensively described in numerous studies completed between the 1970s and 1980s and in 2005 and 2008. Based on these studies, the total stored energy is roughly 490 GW of thermal capacity. However, not all of the energy stored can be economically exploited.

GT Energy, one of the leading organisations in this field, estimates that under the policy framework discussed in a document it sent to the Department of Enterprise, Trade and Investment, 81 thermal MW of geothermal energy could be developed by 2020. That represents significantly less than 1% of the stored energy here. However, 81 thermal MW could equate to approximately 31·5% of the current outstanding renewable heat target of 1,300 thermal GW by 2020. GT Energy believes that this is achievable and is supported by international experience in places such as Paris, where, in the 1970s, over 240 thermal MW

were installed over 13 years — an addition of 18 thermal MW a year.

Additionally, in Germany, since the introduction of a development framework in 2001, over 21 thermal MW have been installed annually.

A report for the Renewable Energy Association found that a fifth of these islands' electricity needs could be met through deep geothermal energy. However, arguments have been made that that will not happen unless DETI provides the necessary structure and incentive to kick-start that exciting sector. A number of the towns identified as having a high geothermal potential already have a developed gas network or are listed as towns where future expansion of the gas network is planned. Those towns include Coleraine, Ballymoney, Ballymena, Antrim, Magherafelt, Cookstown and Dungannon. As long as legislation exists that supports the protection of the gas industry, uncertainty will remain for the ability of geothermal projects to progress through feasibility to development. That statute obligation is a major barrier to the deployment of deep geothermal energy and other forms of renewable electricity and heat generation.

As part of the solution that it has put forward, GT Energy has urged the Department of Enterprise, Trade and Investment to install a separate tariff for deep geothermal and to separate it from ground-source heat pumps, which it sees as insufficient to incentivise development. It wants to see a tariff at a suitable level to stimulate the development of the deep geothermal sector. It also wants deep geothermal installations assessed on a case-by-case basis, where proposed projects coincide with an area that is an existing or future gas connection.

If we are serious, as many claim, that we want to move to a low-carbon future, we need to make the most of the opportunities presented by clean, sustainable and renewable sources of energy. The potential for —

Mr Allister: Will the Member give way?

Mr Flanagan: I certainly will.

Mr Allister: I am just wondering whether I am hearing the Member correctly. Is he not the one in the House who purports to be the champion against deep drilling? Has that not been the entire basis of his opposition to fracking? Am I hearing him correctly that he is now advocating deep drilling to whatever depth is necessary in order to tap into geothermal? Are there no bounds to Sinn Féin's contradictions?

Mr Flanagan: Will the Member give way? *[Laughter.]*

Mr Allister: It sounds as if what he is advocating — geothermal — is neo-fracking.

Mr Flanagan: I thank the Member for giving way. I thought that he was going to keep going until all my time was up. There is a huge difference between geothermal energy and hydraulic fracturing. If the Member thinks that the two things are the same, he really needs to read more.

Mr B McCrea: *[Interruption.]*

Mr Flanagan: The main difference, Mr McCrea, who spoke from a sedentary position, is that gas is —

Mr B McCrea: Will the Member give way?

Mr Flanagan: No, because I have only a minute left.

Mr B McCrea: I will not take as long.

Mr Flanagan: I do not care.

The main difference is that gas is not sustainable, no matter how many times we get a policy document from the Department telling us that it is. Gas is not a sustainable form of energy.

As the Member raised the issue of fracking, it would be wrong not to reflect on the announcement last week by the Enterprise Minister of her decision not to give Tamboran another extension to its petroleum licence, or its licence for fracking, as it was more commonly known. In terms of supporting the renewable industry and moving us towards our challenging targets for renewable heat and electricity in the future, it was the right decision, and it is a welcome one. However, it is important to point out that it does not reflect a road-to-Damascus conversion by the Minister as she has yet to say that she is opposed to or against fracking. The rationale behind the decision was solely based on timing; the fact that Tamboran cannot get the work done in time to meet the clearly legislated deadlines in its licences played a huge part. Perhaps the fact that there is a big election coming next year may have played an equally big part.

Mr Dunne: I welcome the opportunity to speak on the motion today. I think that we all recognise the ever-increasing costs of energy, with almost 70% of our householders still depending on home heating oil as their main form of heat. We all recognise the need to explore all viable options for providing alternative energy sources.

Energy costs are consistently cited as one of the main challenges for businesses here. Energy is a very important issue that affects everyone across Northern Ireland. Therefore, it is imperative that we continue to look at all possible options to ensure that we maximise our potential in developing and improving our energy supplies. It is also important that we continue to keep focused on meeting DETI's 2020 renewable energy targets of generating 40% of energy from renewables. Renewable energy has a key role to play as an alternative energy source, and it is something that must continue to be developed.

4.15 pm

Not only is a strong, indigenous and sustainable energy sector vital for the economy, job creation and security of supply, it is also in the best interests of consumers. Supporting further growth in the sustainable energy sector will mean that Northern Ireland is much less reliant on the importing of fossil fuels and thus less exposed to volatile international prices. However, we must be realistic about the form of renewable energy we can provide here.

The UK does not have the resource potential of volcanic regions like New Zealand and Iceland, but in some locations underground temperatures have limited potential for deep geothermal projects. Therefore, we should give due consideration to the potential of geothermal energy. However, we cannot ignore the significant challenges that exist in this field, not least the financial investment that will be needed to make any project viable and realistic.

Any deep geothermal projects would require all of the necessary planning and environmental impact assessments to be carried out and considered. The depth of the bore holes required would be somewhere between

2,000 and 3,000 metres. That is the depth required to get temperatures in the region of 150°C to 200°C. Water is then injected to ensure fracturing of the rock. Hydrofracturing sounds like fracking to me. Cold water is then pumped down and brought back to the surface as hot water and can be used for electricity generation or district heating schemes.

Mr B McCrea: I thank the Member for giving way. I did not quite hear his point, and he may wish to reiterate it, about fracking and the fact that when you put the water down you have to frack the rock. Does it not sound very like fracking to you?

Mr Dunne: Yes, to clarify for the Member, that is exactly what I said: it sounds like fracking to me. We have got to be frack about it, *[Laughter.]* it is hydrofracturing — fracturing the rock with hydraulic pressure.

There are shallow ground-source heat pumps being used in Northern Ireland that have benefited from the Northern Ireland renewable heat incentive scheme. I welcome the range of renewable technologies being supported through the Department's strategic energy framework, with a range of renewable electricity and heat technologies all eligible for such support.

To help create sustainable high-value jobs in the renewable energy sector, develop the green economy, which we are all so keen on, and enhance security of supply, it is vital that the Executive do all in their power to ensure that the proposed North/South electricity interconnector is progressed as soon as possible. There is no doubt that renewable energy can have economic and environmental benefits whilst reducing our exposure to volatile fossil fuel prices and helping us to achieve further energy independence in Northern Ireland.

We note the potential of deep geothermal energy to meet some of our heating and electricity needs. However, we have to be realistic about the challenges and barriers that exist in that field. There is room for further research and investigation on geothermal energy to allow it to become part of our energy mix.

Mr McKinney: I welcome the opportunity to contribute to today's debate. I reaffirm the SDLP's support for the development of deep geothermal energy as part of an integrated approach, with the hope that it can positively impact on our over-reliance on fossil fuels and attempt to satisfy our ever increasing energy demands.

As Members are well aware, we are too heavily reliant on imported fossil fuels for our everyday energy needs, and with demand and price ever increasing, we must act now to avoid an energy crisis in the near future. It is clear that, as the prices of fossil fuels increase, so does fuel poverty, which affects the most disadvantaged. Recent reports estimated that some 300,000 households here are experiencing fuel poverty.

In an attempt to curb that, we must be innovative and strategic in utilising alternative, sustainable and renewable sources of energy that will enable us to meet the Executive's targets of achieving 40% of our electricity from renewable sources and 10% of our renewable heat by 2020.

Although we have made some progress over the past number of years, more needs to be done. In that regard, we must stand united in tackling climate change and driving the green agenda, as was suggested, to meet those targets. This is also about creating partnerships, and, in that sense, we must work closely not only in our own Departments but with our colleagues in the Republic to ensure the effective and efficient sharing of resources, with the possibility of cross-border interconnection. The approach taken must be part of an all-Ireland initiative so that consumers, North or South, can benefit from increased sustainable energy supplies at a competitive price. Deep geothermal energy certainly has the potential to be part of that initiative.

I would agree that, following the studies that have been conducted, the process has significant potential here, especially in some of the areas suggested. If the developments in Southampton, along with other models in western Europe, are anything to go by, deep geothermal energy has the potential to provide a large amount of renewable heat and electricity. It will also effectively help with reducing carbon emissions, addressing climate issues, providing employment and economic benefits to local companies and, most of all, driving down prices for the everyday consumer.

Deep geothermal energy is not without its limitations, and it is those that we must overcome. Perhaps the greatest issue facing deep geothermal energy in providing heat and electricity for countless homes is the time that it would take to develop and establish such a system here. As the Cambridge Economic Policy Associates (CEPA) report highlights, the establishment of a system is highly unlikely to happen before 2020, and it will even take a few years for exploration to begin beforehand. Do we have a timetable to push that further and faster?

Deep geothermal energy requires a long-term approach, with further planning, study, consultation and execution required if it is to have a significant impact. A road map must be developed. In that sense, it is unlike other sources of renewable energy that have been tried, tested and established in this region, such as harnessing wind, solar or biomass.

There remain other obstacles to overcome before we could even get going. For instance, we must be progressive in tackling high initial capital investment. It has been asked whether the renewable heating incentive is fit for purpose, so we must work closely to ensure that the proper financial provisions and incentives are in place to provide a competitive market and to attract investment for further growth. After all, it is estimated that it costs just over £3 million for every borehole drilled for exploration and that one plant — in Ballymena, for example — would cost £30 million to develop.

We must also take all steps necessary to limit the geological risk inherent in deep geothermal energy exploration. Further impact assessments are needed, and those must be continuous during exploration and the potential establishment of deep geothermal energy plants to limit any potential negative impact on the environment. In that regard, until we overcome the hurdles of deep geothermal energy, the motion remains narrow, as it will not have any significant impact on our energy demand in the near future. It is only through future planning, proper regulation, further consultation and providing proper financial incentives to investors that the scheme will become a reality and be delivered. Therefore, as the search continues for the most viable alternative to

coal, oil and gas, we must also ask ourselves what are the alternatives that can have an immediate impact and strengthen our national grid. We have already seen much debate and consternation surrounding fracking, as has been touched on. Sinn Féin has said no to fracking but —

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

Mr McKinney: — where are the alternatives that can make a significant, immediate impact on our energy demands nationwide?

Mrs Overend: I support the motion. The general public might be somewhat bemused that the Assembly, in the grip of a budgetary crisis that, if not resolved, could result in the collapse of institutions, is clearly debating a take-note motion. That said, in Northern Ireland, energy, particularly the price of energy, is one of the most important issues out there. At the very least, at the end of this debate, the Members present will be better informed about one of the technologies that could help solve our energy challenges and help meet our renewable targets.

Deep geothermal energy is an emerging renewable energy technology that has the potential to help reduce our over-reliance on imported fossil fuels. Deep geothermal plants work by pumping water down to rocks about 5 kilometres below the surface that are at high temperatures of around 200° centigrade. Once there, most of the water turns to steam and is then pumped back up and converted into geothermal electricity using a steam turbine. When cooled, the water can also be reused to produce more geothermal energy on demand, with — it is claimed by green energy enthusiasts — the potential to deliver one third of the UK's heat demand, if heat networks were installed.

The strategic energy framework of 2010 states:

> *"Northern Ireland will seek to achieve 40% of its electricity consumption from renewable sources by 2020."*

All parties on the Executive signed up to the ambitious target in the Programme for Government to achieve that target. I believe that we are on about 14% at present. It is not just about creating security of energy supply and literally keeping the lights on; it is also about adapting to and militating against the harmful effects of climate change for future generations. The document states:

> *"There has been considerable commercial interest in the development of deep geothermal heating schemes in recent years and DETI is aware of the importance of financial incentives and an effective regulatory framework to the promotion of emerging renewable energy sectors such as geothermal energy, and will work with the Geological Survey of Northern Ireland to assess the best methods to implement these in a timely manner."*

Studies have been carried out on the geothermal potential in Northern Ireland, with a number of towns identified as having the conditions to be potentially suitable for deep geothermal heating networks. Previous studies have examined the potential geothermal resource in Northern Ireland. In 2005, a study that used both measurements from existing bore holes and model geothermal temperature maps identified areas where deep geothermal heating schemes could be possible. Temperatures of around 90° Celsius were measured at a depth of 2,300 metres in the Rathlin Bay area on the north coast, and higher temperatures of up to 165° Celsius were modelled at 5,000-metre depths in other areas. That study was supplemented by a 2008 report commissioned by Action Renewables, which sought to determine where deep geothermal schemes may be viable by assessing potential heat demand and geothermal conditions. Six towns have been identified as having the appropriate geothermal conditions and the necessary heat demand: Ballycastle, Bushmills, Ballymoney, Ballymena, Larne and Antrim. I hope that the Minister will tell us the latest situation regarding the potential for exploiting the potential of geothermal. I am sure that the residents of the six towns just mentioned will be very interested indeed.

On 1 July this year, the all-party group on renewable energy received a presentation from GT Energy. The presentation mentioned Ballymena and Antrim and associated feasibility studies. However, both projects are apparently on hold due to a lack of financial and regulatory support. Perhaps the Minister will clarify the attitude of the Department in her summing up.

There have been studies, reports and consultation documents, but still, as it stands, no projects have been forthcoming. However, a word of caution: in the strategic energy framework document, the Department estimated that the combined cost of renewable electricity installations together with the cost of the grid investment necessary to meet the 40% target could be between £49 and £83 per household on an annual basis at current prices. When we talk of government grants and incentives for renewable energy schemes, we should not forget that it is the consumer and taxpayer who end up paying through their energy bills.

The policy of the Ulster Unionist Party on energy is that we need to diversify our supply. Onshore wind is not the only option when it comes to renewable energy —

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

Mrs Overend: — and we should not put all our eggs in one basket. Necessity is the mother of invention and —

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

Mrs Overend: — other emerging technologies should be part of our energy mix in the future.

Mr Lunn: I am happy to support the motion. It is fairly limited and just asks for appropriate legislation and incentives to support the potential development of the industry. That is fair enough. I must confess that I have listened with interest today to the various experts on the topic; it is not something that I know much about. I listened to Professor Flanagan, Mrs Overend and Mr Dunne with interest.

4.30 pm

I think that we are moving in the right direction. A geological survey and other evidence tell us where the hotspots are. We have heard them mentioned several times. They are certainly around County Antrim, particularly north Antrim, and perhaps into south Derry. I know that the Committee has already looked at this area in some detail, so we are in no doubt about the potential.

There may be some time pressures. We are in a long-term project to try to improve our energy supply, costs and prices, but we could find ourselves competing with other parts of the UK. Extraction will, effectively, be a private

enterprise, and, at least in part, we need to know how to prioritise the areas of opportunity around County Antrim because the same investors who might be looking there will also be looking at the Grampians, Cornwall, Yorkshire or other areas where potential exists. So we need to make it attractive for investors. That is all that the motion asks. We should be in no doubt that we need to deliver on energy costs and supply in this country. What we have at the moment is far too fragile and too dependent on others.

I heard the discussion about the comparison with fracking. Again, my lack of knowledge will come to the fore, but it seems to me that it is really not the same thing. Both involve a hole in the ground, but, beyond that, I cannot see how pumping water down a hole so that it heats up and pumping it back up again is the —

Mr Frew: Will the Member give way?

Mr Lunn: Absolutely — inform me.

Mr Frew: This is a point of information for the Member. First, a borehole has to be drilled. Water then has to be pumped down and go through fractured rock at about 120°C before coming up through a second borehole to hit onto a motor or generator. So, to all intents and purposes, it will have to go through fractured rock.

Mr Lunn: Yes, I understand that, but I still do not think that it has the potential for as much destruction to the environment in terms of producing gases. That is what fracking is all about. I would certainly be prepared to give it a fair wind. It is worthy of more exploration. Look at the countries around the world that have gone with this: are Iceland or New Zealand regarded as environmentally unfriendly? I really think that we should look that this very seriously and not accept that it is just another form of fracking, because I do not believe that it is.

Inevitably, when the time comes, if we ever get round to it, there will be a lot of local opposition. You can already see it forming here. That will happen not least because, if we go ahead with this sort of exploration, it will be in some of our most scenic locations. I wonder whether the proposers of the motion, and indeed everybody else here, are prepared to commit to supporting exploratory drilling without seeking local political gain. Let us face it: every time that we have had an environmentally friendly energy proposal — wind turbines, waste incinerators, hydro schemes and wave power — a head of steam, if I can say that, has built up in opposition to it. I wonder whether that will happen again, even if it is proven that this is liable to be comparatively environmentally friendly.

I would like to hear more from the Minister about incentives already available and any further potential incentives, given the obvious lack of potential for committing extra funding just now.

I will leave it at that. As you can tell, I am not convinced one way or the other, but I think that it is certainly worthy of further exploration.

Mr Frew: I am grateful for the chance to speak in the debate, which is a very important one for moving forward. There is no doubt whatsoever in my mind that we will need a greater mix of energy generation in the future. That is a no-brainer, and we have to be prepared for that. We certainly cannot lump all our eggs in the one basket that is wind power. It is simply not reliable enough. Until we get to a point at which we have the storage capacity to save energy, we need to have as wide a mix as possible.

With that mix comes all sorts of responsibilities. We will definitely need our own domestic energy supplies. Deep geothermal energy may well be one of those answers. We should explore the possibilities of getting that up, out and to the public so that they can have a real, tangible benefit. Hopefully, we will also reduce energy costs indirectly.

What amazes me here today is Sinn Féin. Its members are meant to be the guardians of the environment, the people who fought the good fight against fracking in Fermanagh and were against all holes being bored in that beautiful countryside. I ask this question: why is it OK to test, explore and drill in my constituency of North Antrim but not in Fermanagh? Is it the case that the proposer of the motion is simply saying, "Right, OK — we are not going to have fracking in Fermanagh, but why not have boreholes all over the place in North Antrim? Why not let them pick up the tab and take on the burden of responsibility when it comes to fuel mixes?"? That is basically what this sounds like today.

Mr Flanagan: I thank the Member for giving way. Maybe he was not listening, but I said that there was actually potential for that in Fermanagh as well, so it is not as though I am opposed to boreholes in my own area. The Member will be well aware that this is not going to happen in his constituency because of the protection that is afforded to the gas industry and because a gas network is enabled in the parts of the constituency where this is a viable runner. That is blocking it.

Mr Frew: Some who listen to this would even argue that the motion would be classed as sectarian because of the interest of north Antrim and of course Fermanagh with regard to fracking. What is the difference between fracking for shale gas and fracking for geothermal energy? I will quote from the Department of Energy and Climate Change's geothermal energy report, which states that deep geothermal power:

> *"is generally created when cold water is pumped down one borehole, heated up as it moves through fractures in hot rocks (at temperatures over 120°C) and returned to the surface via another borehole to drive an electricity-generating turbine."*

Now, the key words in that are "fractures in hot rocks". They are the key words. I am not opposed to the exploration of new energy mixes. Is Sinn Féin actually coming to the realisation now that this will have to be looked at? Is it coming to the realisation that we cannot rely on the existing sources of energy as they are now? Will that spirit generate itself into helping to push forward the other main key issue in all of this, which is interconnection? Will Sinn Féin push hard for the North/South interconnector in order that we have a greater mix of power being generated on this island to support the people of Northern Ireland and to also have connection to the greater UK, the British Isles and Europe?

This is a party that has, for so long, been one of no progress. I would love to see the day that it gets on board and actually tries to do something positive for the people of Northern Ireland. We can all bury our head in the sand and say that we do not like that; it is too risky or too dangerous. Let us explore it and see what benefits it will bring people. Let us see it getting on the ground because it is the only

way that people will benefit from it and be able to have a greater degree of flexibility in their energy costs and resource. It will help and aid businesses. I am glad that Sinn Féin is starting to realise that we need this.

Mr Attwood: A couple of hours ago, the Minister, other people and I were in west Belfast to acknowledge the work of Delta Packaging. It now has 250 people supplying headline businesses in Europe and other places. Terry Cross, the chair of the board, made the point that his business model was beginning to address obviously the issue of recycling. I know from other conversations that his business model is trying to address the issue of renewables.

I make that point because, whatever the difference might be around whether there is frack-free thermal energy, the purpose of the debate should be whether we in Northern Ireland are going to recognise that our economy, if it is to be sustainable and thrive, has to have a niche market profile in the global conditions, one of which is what Terry Cross was talking about a couple of hours ago: whether the profile of our industry for recycling and renewables gives us a competitive advantage. I make that point because, whatever about thermal energy, unless we in Northern Ireland shape our energy mix and go down the road of renewables in a much speedier way, we will lose our space in the global market.

Whatever about thermal energy, Mr Frew, as I have said many times before, the biggest economic opportunity this island has is not just in our wind but in our wave and tide. That is where science and engineering are at their most advanced stage, and that is where the biggest opportunities exist. If we are to compete in the global market, if we are to one day be energy sufficient, if we are to one day export to national and international grids, it is around wind, wave and tide that we will be able to first build that business model and that energy model. That needs imagination, and my concern about the shape of current government strategy is that there is not enough imagination to scale up in the way that we can. We have the imagination. As I always say, 30 miles from here, in Strangford lough, is the world birthplace of modern tidal power. The world birthplace of modern tidal power sits in one of the most protected waters in Europe. You can be imaginative, you can be world leading and you can do it in a way that protects the environment. That, in my view, is the real issue in the debate. Whatever about thermal energy mixing in with wind, wave, tide and solar, do we have the imagination, do we put the money in and do we have the capacity to live up to that challenge? That is why I ask the Minister, given the current consultation on the Northern Ireland renewable obligations certificate when it comes to solar PV, whether she has a view on reducing, as outlined in the consultation, the ROC payable in that regard from 4 to 1·6. If the ROC was reduced to a level of 1·6, then, in a moment, the solar PV industry would be dealt a crushing blow.

Mr Frew is wrong: whether there is a frack-free model of thermal energy — Mr Agnew from the Green Party will talk about that, I am sure — you miss the point. The point is that, whether you frack or not using thermal, it is about whether you can do it safely and responsibly. The evidence in respect of hydraulic fracking is that it has not been done responsibly in America. The safety issues around where the gas goes and what the health impacts are —

Mr Frew: Will the Member give way?

Mr Attwood: I will give way.

Mr Frew: Does the Member agree that nobody here is suggesting that we go down a route where we do unsafe fracking of any sort to get any sort of energy resource? No one in this room has even suggested that.

Mr Attwood: I note that comment, but, until last week, you might have drawn different conclusions from the current Minister's viewpoint. The Minister went to the Middle East — I think it was to Oman, but I might be corrected on that — and issued a statement saying that fracking was being done OK there, so why can we not do it in Fermanagh?

Mrs Foster (The Minister of Enterprise, Trade and Investment): On a point of order, Mr Deputy Speaker.

Mr Attwood: The point is that —

Mr Deputy Speaker: I will take a point of order. The Member will resume his seat.

Mrs Foster: The Member might like to reflect on what he has just said, Mr Deputy Speaker. At no time did I mention fracking in the Middle East.

Mr Attwood: I think that the public record will say otherwise. If I am wrong, I will correct the record. However, I recall the Minister, on one of her investment trips, saying that if fracking was being done safely in another place it could be done safely here.

I am glad that there has been a change of heart. Whatever the motivation, whether it is the imminence of the Fermanagh Westminster election or whether it is a genuine change of heart, I welcome it, but do not confuse fracking that might relate to thermal with hydraulic fracking for gas, where there are health, safety, water and seismic consequences.

4.45 pm

Mr Wilson: I have no doubt that the Member who proposed the motion has great knowledge of the whole idea of geothermal energy. He knows all about being put under pressure and then having steam coming out of your ears. Anybody who listened to 'Nolan' this morning will know all about that. He is right: the deeper you dig, the hotter it gets. As Nolan dug into his knowledge of the events budget and welfare reform, he certainly got a lot hotter, and people got a lot more light as to how little Sinn Féin knows about some of the issues that it debates.

This has been an interesting debate. We are seeing turnarounds and contradictory positions already. On one hand, the defenders of the Fermanagh countryside against the ravages of fracking now say that fracking is OK on certain occasions. Mr Attwood now seems to be converted to renewable energy. This was the man who said that, if there had been a waste-to-energy plant for Belfast, he would have stopped it. He stopped the Rose Energy project, but now he is converted to renewable energy.

Mr Attwood: Will the Member give way?

Mr Wilson: Yes, I will give way.

Mr Attwood: Check the record. Unlike in your time in the DOE, the profile of approvals for wind turbines, both commercial scale and farm-located, was far in excess of anything that you achieved. Where there were

environmental consequences that were too grave in respect of energy plant, of course I refused it. Would any other position be responsible?

Mr Deputy Speaker: The Member has an extra minute.

Mr Wilson: That was the SDLP's contribution to energy in Northern Ireland. The fuel poor have had imposed on them some of the most expensive forms of energy that we could have. It is three and a half times more costly than what is generated at Kilroot or Ballylumford. I do not think that that is a record to be proud of, especially when 42% of people in Northern Ireland live in fuel poverty.

Let us look at the issue. First of all, we have a proposal that we should have a form of energy that requires fracking. People can deny it all they want, but 'The Economist' said that "geothermal is the new fracking". It involves drilling vertical wells up to 12,000 ft deep, then horizontal drilling, then putting water and chemicals under pressure, and the pressure and the chemistry shear the deep, hot rock. Shearing or fracking, it is all the same. Of course, Sinn Féin now supports it in places like the Mournes, Rathlin and Lough Neagh. What is significant about all those areas? They are tourist areas. In those tourist areas, you will have boreholes, drilling rigs, pumping stations and maybe even a power station having to be built close to the well in areas where tourists —

Mr Agnew: Will the Member give way?

Mr Wilson: Yes, I will give way.

Mr Agnew: How many wells on average does fracking require, and how many wells on average does geothermal require?

Mr Wilson: The whole idea of fracking is that you go down through one well and then you have lots of branches off it. All you have on top of it is a barn-like structure that is no bigger than a farmer's barn and can be integrated into the countryside. The impact would be far less than having to dig a hole in the ground, with another one coming up and a power station on top of it. There is a huge difference. Not only has Sinn Féin now been converted to fracking, but it has no concerns about these installations being in tourist and agricultural areas.

The third thing is that this has been presented as a panacea.

Mr Flanagan said that people need to read more. I think that if he had read the NICVA report he might not have got into the trouble he did this morning, mind you. If he would even read the DETI document, he would know that 0·5% maximum of our energy can be produced in this particular form. We are still going to be reliant on the main source of energy that this society depends on: fossil fuel. Indeed, a well to release gas is likely to produce far more energy to produce electricity than a well that goes down to release hot water. Of course, it will be much cheaper than geothermal energy as well.

In a country where we are looking, first of all, for reliable and cheap energy that will meet our needs for the future, to come up with this idea that you can turn your back on fossil fuels and on drilling for natural gas underneath the surface and that you can rely on geothermal power, which even at the best estimate will produce one two-hundredths of our energy needs —

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

Mr Wilson: — just shows the nonsense that Sinn Féin's energy policy is.

Mr Agnew: Thank you, Mr Deputy Speaker. And now for something completely different.

Geothermal energy is a clean, reliable source of energy; it is a renewable source of energy that we can access in Northern Ireland. Unlike fossil fuels, as the previous contributor said, it is not finite and it is not running out any time soon. It is renewable, so if we are talking about energy security, let us not talk about today or tomorrow but about the long term.

I question some of the previous contributor's figures. Geothermal energy has the potential to meet up to one third of our renewable heat targets by 2020, so it can make a significant contribution to producing heat. Those of us who have read and understand the science know that we need to move away from our dependence on fossil fuels. Unlike what the previous contributor may claim, we need to tackle climate change because it is caused by human activity and only the actions of human activity can stop irreversible climate change.

As things stand in Northern Ireland, we do not provide sufficient support for geothermal energy for it to be exploited. It is a new form of technology in the UK, although, as has been pointed out by other contributors, it heats up to 90% of homes in Iceland.

Mr Wilson: I thank the Member for giving way. Would he accept that when he talks glibly about not giving enough support to geothermal energy, what he is really saying is that the hard-pressed electricity consumers already, through their bills, provide subsidies to the industry, so putting up their energy bills?

Mr Deputy Speaker: The Member has an additional minute.

Mr Agnew: The former Minister will be well aware that there is no energy to speak of being produced in Northern Ireland that has not to be subsidised in some shape or form. For example, we are giving £32·5 million to the gas industry to bring gas to the west, so we are subsidising energy and we will do so. The question is this: which energy should we subsidise? Which energy will provide the best long-term solutions in terms of security of supply, sustainability and price for the consumer?

Renewable energy is the only form of energy that can tick each of those boxes. We need to look at each technology, but we also need to start from the basic principle that renewable energy is the way forward. That is where I take on Mr Flanagan's point. I suspect that one of the problems with geothermal energy is not to do with some of the distraction that has been created around the idea of fracking but the fact that the Department has a statutory duty to promote the gas industry. To incentivise the exploitation of geothermal energy would be a threat to the gas industry because, of course, it wants gas to be our main form of heating. The potential of renewable heat through geothermal energy is a threat to the gas industry and, therefore, it could be argued that the Department would not meet its statutory duty.

Clearly, we need legislation to regulate geothermal energy and I have argued for the regulation of the other industries. Equally, the renewables industry should be a responsible industry and it should be regulated, but we also need to

change the legislation that gives priority to gas. By virtue of the fact that we have a renewal heat incentive and renewable obligation certificates, we are acknowledging that we need to move away from fossil fuels and that we need to incentivise renewables. If we start from that basis, the statutory duty for gas no longer stands any justification in Northern Ireland.

I come now to the point that was raised about whether this is fracking. Fracking can be part of the process in geothermal. It can, but it is the exception rather than the norm. The vast majority of geothermal exploitation across the world has not involved hydraulic fracturing. Where it does not involve it, we do not need to have this debate; where it does, we need to look at it. The question of hydraulic fracturing is a question of risk and benefits. What are the risks of fracking for gas? The risks are the possible release of methane and the contamination of water through the chemicals used. During the debate, somebody said that the same issue of bringing water back up to the surface would be required in the geothermal process. That is not the case. It is a closed-loop system, so we do not have the huge pools of contaminated water that you would have with gas fracking.

I will answer the question that Mr Wilson did not answer. It was proposed to have thousands of wells: 1,200 across Fermanagh and thousands across Ireland, north and south across the border, to frack that area. You would need one to three wells for a similar geothermal process. So, it does not involve the industrialisation that we would have seen if we had fracked Fermanagh. I should have started by welcoming the Minister's decision to terminate Tamboran's licence.

Mr Wilson: Will the Member give way?

Mr Agnew: I do not have time; apologies. The differences are marked, but there are benefits. As I said, there is a cost-benefit analysis. The costs of geothermal are less, and the benefits are much better, because we get a clean, green fuel without carbon emissions beyond the process of extraction.

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

Mr Agnew: We get much greater benefits. We get a long-term, clean, green, reliable renewable source of energy.

Mr B McCrea: Mr Deputy Speaker, rarely have I heard such twaddle or such uneducated, uninformed, misinformed information from these Benches. You sit and say, "This is not fracking" or "This is fracking by another name". I invite you to read a book that you will find in the Library. It is by one Daithí McKay. I am not sure if it is the same Daithí McKay, but he was a chief scientific officer. The book is 'Sustainable Energy — Without the Hot Air'.

One thing that I want to understand is what Fintan Warfield has to say about it all. Come on. What does Fintan Warfield have to say? I cannot ask him, because I do not know the Sinn Féin mayor of South Dublin County Council personally, but maybe Members here do, because that council has given full planning permission for all of this. It has had an entire seismic report done of the Dublin/Newcastle basin to see whether it can go through and to see if it is possible. Full planning permission was granted in January 2011, and, since then, there has been nothing.

Mr Flanagan: Will the Member give way?

Mr B McCrea: I do not think I will, because the Member was not quite so generous when I wanted to come in earlier. I ask him to get his facts right. I will address this to Mr Agnew as well, because I am a chemical engineer, and I chair the all-party group on science and technology. We have had quite a few discussions on this issue, including discussions with experts who came from across the water to talk to us about the issue. It does not seem possible to me to bore three or four kilometres down into the ground without cutting across aquifers or other fault lines, which may release methane or radon, particularly if you are in the geological hotspots driven by granite. You are going to do exactly the same thing that you were going to do with fracking.

I cannot understand why we have the hypocrisy in this place to say, "We oppose fracking because we don't know what it might do" and then say, "But geothermal might be OK".

5.00 pm

Mr Agnew: I thank the Member for giving way, and I have a couple of questions for him. You do not release radon; you bring it to the surface, which fracking has the potential to do but geothermal does not. No water is produced, unlike in fracking, so that is another difference. Does the Member accept that there are two types of geothermal energy? There are the enhanced geothermal systems that require fracking and the normal geothermal system that requires no fracking.

Mr Deputy Speaker: The Member has an extra minute.

Mr B McCrea: I am tempted to respond with "Will the Member give way?", because that was something of a speech. Let me quote something from the body of evidence in the research paper. This was said by a representative of the company that are going to do it. He said that there are two types:

> *"they are drilling into granite which has no water in it and they are pumping water down into the granite to create an artificial aquifer."*

That will put pressure on the systems. He then said:

> *"In Northern Ireland, we are drilling into existing aquifers ... which are, in essence, sponge layers of rock, buried three or four kilometres deep".*

The real issue in all these matters is that, if you do not have sound geological data, you should not proceed. However, where you have it, you can do it safely. That is the real problem with the whole argument. People expound on emotion and do not look at the facts. They do not come down and see what the science says. Of course, if it is not safe, you do not do it, but, where you have scientific evidence that it is safe — as it apparently is in the South Dublin with its Sinn Féin mayor — you should give full planning permission and get on with it. I come to this issue —

Mr McMullan: Will the Member give way?

Mr B McCrea: Yes.

Mr McMullan: When the Member mentions the planning permission given in South Dublin, does he know exactly what he is talking about when he mentions geothermal heating and the type that it is? Perhaps he can tell the House that. Secondly, can I ask the MP for East Antrim

how many applications have been made for geothermal heating schemes in his constituency?

Mr B McCrea: I am not sure that you are allowed to redirect your questions through me to other people. If you feel that you are in the Chair, fair enough. There is a touch of debating hydrofracking there, I think, where we have gone down and gone across.

The information that I see here is on the website. Take this document and have a look at GT Energy to see what it has said about drilling in Newcastle. I got excited for a while, because I thought that it was Newcastle, County Down, but it turned out to be Newcastle, County Dublin. I read on, and I looked at what it said. There is a full seismic analysis, and full planning permission has been granted. The information is all there for the Member to have a look at.

Other places have tried this. Southampton has a geothermal system operating, but one of the issues that arises is that it is only part of the solution. Even there, it produces only 17% of the heating input to the district heating system, so you need to have some integrated form of dealing with the issue. The big thing that I really want to say is —

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

Mr B McCrea: The reason why I will not be so hard is that I would like people to start saying yes for a change. That is what got the anger in all of this.

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

Mr B McCrea: People who said no, no, no are now saying yes. For goodness' sake, we have to do something.

Mr Deputy Speaker: The Member's time is long gone.

Mr B McCrea: Trust the science, and, please, let us do something together.

Mr Deputy Speaker: Mr McCrea, resume your seat, please. The debate has certainly generated a lot of steam, some of which I was not able to control very well.

Mrs Foster: I welcome the opportunity to respond to the motion on geothermal energy for heating and electricity. It is important that we look at both those elements, and that goes back to a point that Mr Agnew raised in his interjection just a few minutes ago. It is a pity that we did not have a pump available today in the Assembly, because we would have got quite a lot of hot air. I think that you recognised that, Mr Deputy Speaker.

In pursuing the Executive's targets of 40% renewable electricity and 10% renewable heat by 2020, we have put forward a framework that is technology-neutral. That allows the market to bring forward the most cost-effective renewable energy technologies. That is a very important consideration — Mrs Overend also made the point — as we are asking consumers to contribute to costs through their electricity bills. I am pleased that we are well on track to deliver our interim target of 20% renewable electricity by 2015. Contrary to what Ms Overend said, our figures are in for last year — April 2013 to March 2014 — and show that we had 19·5% of our electricity from renewable sources, so we are very close to the 20% target that we were to hit by 2015.

Deep geothermal energy, both for power and heat, is a low-carbon sustainable resource that has the potential to play a role in our future energy mix, although, at present, it does not feature in our energy mix. Power generation requires higher geothermal temperatures than for heat, and it remains a very capital-intensive technology. Whilst there is some potential, there is less so than in the more volcanic regions such as Iceland, North America and New Zealand. Nevertheless, electricity generation from deep geothermal energy is eligible for incentives, although you would think, hearing some of the people in the Assembly today, that there are no incentives available. There are incentives available in the form of renewables obligation certificates, although, as I have said, no schemes have come forward thus far.

Mr Agnew: I thank the Minister for giving way. Can she explain why the incentive of two ROCs set in Northern Ireland is considerably below that in GB?

Mrs Foster: I wanted to take up this point in relation to Mr Attwood's solar PV consultation, which has just closed. As the Member will know, we put forward the appropriate ROCs depending on the evidence that comes forward to us in consultations, and that is certainly the case for the solar PV. It has been an evidence-based consultation. I have been very clear with the industry that, if they have evidence that requires us to intervene in the fashion that we have been intervening in, they need to bring us that evidence. It is back to Ms Overend's point that incentives have to be paid for by the consumer and, if we are over-incentivising solar PV or, indeed, any other technology, we are doing a huge disservice to our consumers.

Can I just clear up the issue about Oman and fracking? As if I would talk about fracking in Oman. They do not need to frack in Oman. Actually, I was talking about Qatar, if the Member wants to go back to the actual discussion that we had. I said that the gas that they found off Qatar had made it the richest place in the world. I never mentioned fracking. I said that they had a fabulous natural resource there and that is what they were using. Mr Attwood needs to get his facts right before he comes to the House and accuses me of things like that.

The ROCs mechanism will close to new applicants from April 2017, and large-scale renewable electricity generation, including deep geothermal, will then be supported under the UK-wide feed-in tariff with contracts for difference.

Energy from ground sources already plays a role in heating our homes and businesses through the renewable heat incentive. Ground-source heat pumps utilise shallow geothermal and are already in use to heat many local businesses and homes. Examples are the new library at Queen's University and the Lyric Theatre. The Northern Ireland non-domestic renewable heat incentive scheme provides incentives for businesses to install geothermal heating systems through the tariffs set for large ground-source heat pumps. Whilst there are none installed to date, I look forward to seeing suitable projects come through under the RHI in due course.

Much has been made across the way of our statutory objective to promote the gas industry. That objective does not impair the future development of deep geothermal energy, as the RHI does not differentiate by geography. A renewable installation in a gas area will receive the same incentive payments as an equivalent installation in a non-gas area, and the development of the natural gas market and the increase of renewable levels are both essential

for Northern Ireland to enjoy a more diverse, secure and sustainable heat market.

I was interested to hear Mr Flanagan's comments in relation to the natural gas market. First of all, he was opposed to gas for the west; then he came online and said that he was in favour of gas to the west; and today we are hearing again that he may not now be in favour of gas to the west. His constituents, particularly those in Derrylin, will be interested to hear his comments today.

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

Mrs Foster: No, thank you. My current assessment is that —

Mr Deputy Speaker: Point of order.

Mr Flanagan: I want to clear up the allegation that the Minister just made. Neither today nor previously have I said that I was opposed to the gas network being extended. Perhaps the Minister, in her infinite wisdom, will come to the House prepared with facts instead of making silly allegations.

Mrs Foster: The record of the House will show very clearly that, in the past, you thought that — *[Interruption.]*

Mr Deputy Speaker: The Minister will resume her seat, please. I remind Members not to make remarks from a sedentary position. I also remind Members that courtesy and good nature are the key hallmarks of the Assembly, so there is no need for any vocabulary that is otherwise.

Mrs Foster: Mr Deputy Speaker, I remind the Member that he thought that the gas pipeline to the west was some sort of Trojan Horse for fracking in the south-west of Fermanagh. He is on record as saying that, so I do not know what he is talking about. In relation — *[Interruption.]*

Mr Deputy Speaker: I am sorry, Minister, I have to ask you to resume your seat again.

My remarks to Mr Flanagan apply equally on this side of the House: no talking from a sedentary position.

Mrs Foster: In relation to Mr Agnew's point that we are providing —

Mr Frew: I thank the Minister for giving way. Despite Phil Flanagan's opposition and despite him being at odds with his party policy, would the Minister like to elaborate on the difference that gas to the west would make to businesses there?

Mrs Foster: Gas to the west is hugely anticipated by businesses there, particularly by those that are very energy-intensive, such as some of our agrifood companies and the former Quinn glass factory.

In any event, I want to move on. Mr Agnew said that we were giving incentives to the gas pipeline to the west. We are giving a one-off grant of £30 million for gas to the west. Last year alone, the renewable industries received over £50 million in subsidies. That is an annual figure, and the money comes from consumers. We need to be honest with people and say that that is the case instead of trying to hide away from the matter.

I recognise that the lack of legislation and corresponding regulatory system may be a potential barrier to the development of deep geothermal energy in Northern Ireland. Of course, we all know that stable and effective regulation is necessary for investor confidence, as is underground access for directional drilling. That issue came up in Fermanagh, and people were concerned about it. Geothermal legislation is desirable, but it is not an issue that I am in a position to address now. The rest of the UK is looking at geothermal legislation. There is nothing in place at the moment, but I understand that the coalition Government want to introduce legislation in 2015 on directional drilling below 300 metres both for geothermal and for oil and gas. I understand that, although the Republic of Ireland has —

Mr B McCrea: Will the Minister give way?

Mrs Foster: Yes, very quickly.

Mr B McCrea: Minister, will you clarify whether there is an issue with the ownership of the land when you go below 300 metres? Is that the issue that needs to be addressed?

Mrs Foster: No, the issue that needs to be addressed relates to when you go down and then across. There is some concern about ownership, and people have the right not to consent to that. We need to discuss that.

The Republic of Ireland has prepared a geothermal Bill, but there is no timescale for its introduction.

I mentioned the difference between district heating systems, which use shallow geothermal and sometimes go throw porous rocks, and electricity. I did so because the generation of electricity from enhanced geothermal systems would require the drilling of boreholes to between 3 and 4 kilometres and a form of fracking. Anyone who listened to 'Talkback' last Wednesday will have heard an expert from Keele University point out that geothermal energy means fracking granite, not just shale gas. There is an element of fracking, and we have to be honest with ourselves and say that. Frankly, we cannot have a hysterical reaction every time that fracking is mentioned, with people going into a tizzy about it. We need to look at the science, the facts and the evidence.

I will finish with the ending of the Tamboran licence. Some of us do take decisions on evidence; some of us do look at the science; and some of us do look at the facts. I know that some Members opposite may have difficulty with that. Some of them seem to live in their own special little world. However, I took that decision on the evidence that was in front of me, and it was all about the facts. When this is all over, that will be abundantly clear to everyone in the House.

5.15 pm

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank my party colleague Phil Flanagan for bringing this timely motion to the House. I am thankful for the opportunity to speak on what is a very important issue.

We are discussing the need for a sustainable energy supply, the effects of fuel poverty and the negative effects of the destructive exploitation of the earth. I was fortunate enough — or unfortunate enough — to see at first hand in Brazil this summer the results of extensive and thorough logging and the effect that it is having on a precious rainforest habitat. It is only when you see the effects that humans can have on the earth that a light is shone on the issue. That is certainly what it did for me.

Where do we turn today with this motion? I think that the Member for South Belfast has made it clear that, as an island, we need to have an all-Ireland approach to this. I

ask the Minister to make sure that this issue is put on the agenda of the North/South Ministerial Council and work with her colleagues in the South to ensure that the issue is taken forward.

As has been outlined by various Members, Ireland has a productive mix of geological settings from the powerful seas around us to the high winds and the granite rock formations, such as the Mournes, that may hold great potential for such geothermal systems. It is only right that we start to examine and explore to see what potential that geothermal energy could have for us.

Mr B McCrea: Will the Member give way?

Mr Hazzard: Yes indeed.

Mr B McCrea: I am interested in his point about cross-border work. The GT Energy report states that, now that planning permission has been granted in south Dublin, the only thing that they are waiting for is for RECIT, which is their equivalent of investment in renewables, to give them some sort of incentive. Given that the Member's party has representation, not only in south Dublin but in the Dáil, what has he done to make sure that the all-Ireland aspect of this is furthered? It appears to me that they are ahead of us and not behind us.

Mr Hazzard: I thank the Member for his intervention and indeed for his recent interest in Dublin City Council politics. The Member was unable to update the House as to what type of system this was. I am aware that this may involve the sea like the application at Larne, although it may be geothermal energy from the sea base, which is different from what most of us are referring to today. However, I will come back to that point later on.

We hear plenty about the need to rebalance our economy, which is right, but we also need to do the same with our energy mix. We need to do that in a sustainable way. The point that Alex Attwood made was very important as well. As a Member for South Down, I see at first hand the very imaginative approach taken in what has been done at Strangford lough with tidal wave energy. This is exactly what needs to take place.

I will outline some of the points made in the debate today. Mr Flanagan talked about the need for a more green and clean energy mix to really start to explore the opportunities that we have. He gave a far-ranging historical background to the issue of geothermal energy and talked both of the dangers and the opportunities in energy consumption, but also outlined that DETI needs to provide structure and actively demonstrate support for a renewable energy mix. I suppose that that is at the crux of what we are saying here today: enough of the noting and acknowledging that there may be potential; let us see some structure and a legislative base on which to move forward.

Gordon Dunne said that energy was an important issue for everybody, and that renewable energy is becoming increasingly important but that we need to have sustainable growth. Fearghal McKinney talked about an integrated approach being needed to reduce over-reliance on fossil fuels. Sandra Overend questioned the timing of the motion, which I was slightly disappointed at. As I outlined at the start, there are very few issues that are more important than the future sustainability of the earth and of fuel poverty and our energy supply. It is a timely motion at any time of the year. She went on to say that there is a need to tackle those issues and outlined the problems of fuel poverty and tackling climate change.

Trevor Lunn said that we are moving in the right direction and that we need to deliver on energy costs and supply. He also said that it is an issue worthy of exploration. Again, I was slightly disappointed with Mr Frew's contention that the motion may have been sectarian. I do not think that there is anything about the motion today that is sectarian and I am sure that the Member would want to take that back. He went on to talk about the need to have a varied and good energy mix.

As I outlined, Mr Attwood talked about the need for a competitive advantage and the fear of losing space in a global market. That can be seen with the strength of Marine Scotland and what it is doing with tidal wave energy in Orkney. We need to embrace that in Ireland. We are a small island that is surrounded by tidal power and we need to harness that power going forward. I used the word imagination, and we need to lock into that.

We learned that Sammy Wilson listens to 'The Stephen Nolan Show'. He also said that geothermal energy is somehow being presented as a panacea. I want to dispel that. No one is suggesting that geothermal energy, or any particular source of energy, will be a silver bullet in itself: it will not. We will need a mix. That is the way forward.

Mr Agnew talked about geothermal energy being clean and reliable. He compared it especially to fossil fuels and said that it is not running out. This is about a long-term vision, and the Assembly needs to look at it. We are not talking about this month, next year or even, for the most part, the next decade. This is about looking decades into the future and growing a sustainable fuel supply that we can all tap into.

Mr Frew: I thank the Member for giving way. Whilst he is right about the mix, it will have to be balanced by the costs of renewable energy, which will trundle down to our people. Unlike welfare reform, has Sinn Féin costed that out?

Mr Hazzard: I thank the Member for his intervention. I certainly do not have a costed paper for geothermal energy in front of me. That is what we are asking for. Let us move it to a space in which we can see the hard evidence and facts, so that we are able to build that sort of opportunity that, as an Assembly, we can all —

Mr Wilson: Will the Member give way?

Mr Hazzard: Go ahead, yes.

Mr Wilson: Would the Member accept that some costs have been done and that the Department of Energy and Climate Change in the United Kingdom has worked out that the emphasis on renewable energy will add 40% to fuel bills by 2030?

Mr Hazzard: I thank the Member for his intervention. These interventions do not get to the point. What is the cost of not doing it? What will be the cost to our environment and our future if we do not look at renewable energy? We have to look at that.

Mr B McCrea: Will the Member give way?

Mr Hazzard: No, I have given way for the last time. Thanks very much.

Mr B McCrea: You did not quite go —

Mr Hazzard: Yes.

Mr Agnew went on to say that geothermal energy has the potential to comprise one third of our renewable heat targets by 2020. That is not an insignificant amount. Most importantly, he outlined some of the differences between hydraulic fracturing and geothermal energy. It is very important to bear those in mind.

We are looking forward to moving from noting and acknowledging the potential of geothermal energy to putting it on to a proper legislative footing. Even the Minister recognised that a lack of legislative opportunity acts as a barrier to utilising all the potential. It is important that we have that recognition by the Minister that a lack of legislation is a destabilising factor in the process.

Let us move beyond noting and acknowledging the potential to seizing the opportunity. Let us give people the potential to harness this very important energy.

Question put and agreed to.

Resolved:

> *That this Assembly notes the potential that deep geothermal energy has to meet the heating and electricity needs of thousands of households; recognises the potential it has to reduce our reliance on fossil fuels; and calls on the Minister of Enterprise, Trade and Investment to ensure that appropriate legislation and incentives are in place to support the development of this industry.*

Adjourned at 5.23 pm.

Northern Ireland Assembly

Tuesday 7 October 2014

The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Beggs] in the Chair).

Members observed two minutes' silence.

Assembly Business

Sue Ramsey: Resignation

Mr Deputy Speaker: Before we begin our business, I wish to advise the House that the Speaker's Office has received a letter from Miss Sue Ramsey, giving notice that she intends to resign as a Member of the Assembly with effect from 3 November 2014. The Speaker's Office has notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

Ministerial Statement

North/South Ministerial Council: Plenary Session

Mr M McGuinness (The deputy First Minister): Thank you, a LeasCheann Comhairle. In compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make the following statement on the eighteenth meeting of the North/South Ministerial Council (NSMC) in plenary format, which was held in Dublin on Friday 3 October 2014. The Executive Ministers who attended the meeting have agreed that we can make this report on their behalf. Our delegation was led by the First Minister, Peter Robinson MLA, and me. In addition, the following Executive Ministers were in attendance: Minister Farry, Minister Foster, Minister Hamilton, Minister Ní Chuilín, Minister O'Dowd, Minister O'Neill, Minister Wells, junior Minister Bell and junior Minister McCann

The Irish Government delegation was led by the Taoiseach, Enda Kenny TD, who chaired the meeting. The following Irish Government Ministers were also in attendance: Tánaiste and Minister for Social Protection Joan Burton, Minister for Foreign Affairs and Trade Charles Flanagan, Minister Noonan, Minister Donohoe, Minister Humphreys, Minister Reilly, Minister of State English, Minister of State Nash and Minister of State Phelan. Following reshuffles in both Cabinets, a number of new Ministers were welcomed to the Council.

As has been the case in recent times, there was a strong focus on financial and economic matters at the meeting. We had a good discussion on the employment situation in both jurisdictions and measures to encourage job creation. These included discussions on actions to build trade links with developing markets, attracting foreign direct investment and issues relating to banking, in particular lending to small and medium-sized enterprises. Progress locally on the disposal of the portfolio of the National Asset Management Agency (NAMA) was welcomed by Ministers. We also discussed economic and budgetary challenges facing both administrations and measures aimed at rebalancing our economy. We took the opportunity to recognise and welcome the success of the Giro d'Italia cycling event, which secured widespread global media coverage. We also noted the opportunities for tourism and trade through the hosting of all-island events, and we agreed to continue to cooperate on a joint bid for the 2023 Rugby World Cup.

Discussions then moved on to European matters. We were updated on the current situation with respect to

the INTERREG IVa and Peace III programmes. Both programmes are fully committed, and the challenge will be to ensure full expenditure by the end of 2015. Progress on the development of the new INTERREG V and Peace IV programmes for the period 2014–2020 was also discussed. The Council noted that the draft programmes had been submitted to the EU Commission by the deadline of 22 September 2014. We noted several other new European programmes that may present opportunities for cooperation to maximise the drawdown of EU funding to the island, and we agreed that they should be further examined. That is particularly worthwhile; European funding is an important resource, and we should be doing all we can to maximise it. We also reviewed other EU-related developments.

The Council noted that discussions on sectoral priorities have now taken place following the decisions taken at the last NSMC plenary in November 2013 and NSMC institutional in January 2014. The discussions focused on efforts to support economic recovery, job creation, and ensuring the best use of public funds and the most effective delivery of services for citizens. We agreed that it had been useful to review progress and identify opportunities in the existing agreed work programmes, and we noted that a report on other priorities identified during the ministerial discussions will be brought to the next NSMC institutional meeting.

The next item on the agenda was the north-west gateway initiative. We noted the conclusion of the consultation process that had been carried out with regional stakeholders relevant to the north-west gateway initiative. The Council also noted the views of the north-west gateway initiative regional stakeholders on the directions and priorities for the north-west region, including the desire for a renewed and strengthened strategic focus endorsed by both Governments. We agreed that further consultation with relevant Departments should be undertaken on the issues identified during the consultation process. The Council also reaffirmed its commitment to a future meeting of Ministers and officials in the north-west to consider strategic approaches to the development of the region.

The Council then noted the progress report prepared by the NSMC joint secretaries on the work of the North/South bodies and in the other NSMC areas for cooperation. It welcomed the following key developments: cooperation is continuing on strategic transport planning throughout the island; opportunities for further cooperation have been identified in developing the strategic road network of the island; enhancing connections to the north-west of the island; the future enhancement of the Enterprise service; driving a shift to public and more sustainable modes of transport and the potential for shared cross-border public transport services in border areas; and the development of cross-border greenways.

At the NSMC health meeting in April, Ministers were informed that the business planning process for the radiotherapy unit at Altnagelvin was progressing, with work almost complete on finalising a memorandum of understanding and a service level agreement for the operation of the unit. Since that meeting, contracts have been finalised, and building work started on site in July. An app to allow smartphone and tablet access to the North/South child protection hub was launched by Childlink in February 2014.

Both Agriculture Departments continue to work closely on the policy options arising from the reform of the CAP. A joint workshop on educational underachievement was held in Armagh on 25 March 2014, and proposals to scope a cross-border pilot in support of leadership development involving existing groups of principals in both jurisdictions was agreed.

The contract for the all-island research study into the issue of airborne pollution from residential solid fuels, particularly smoky coal, has been awarded. Both Enterprise Departments and InterTradeIreland are working to encourage support for research and innovation activities, and they recognise that there is potential for North/South collaboration to increase the drawdown of funding. At their meeting in January, Ministers welcomed the establishment of the Horizon 2020 steering group and the appointment of the NI joint chair to the US-Ireland R&D Partnership, both of which are positive developments in that area.

At the special EU programmes meeting on 30 May 2014, as I have already mentioned, the Special EU Programmes Body (SEUPB) reported that all available funding under Peace III and INTERREG IV had been committed.

The second phase of the multimedia consumer campaign by Safefood to target childhood obesity is focusing on the importance of exercise in tackling overweight and obesity in children.

The Loughs Agency in partnership with Co-operation Ireland has developed the Foyle river ambassadors citizenship scheme. It is a pilot youth leadership project that brings together young people from across Derry city in a personal development and citizenship programme, the theme of which is to promote the recreational and educational activities provided on the river.

Foras na Gaeilge has selected the six new lead organisations, operating on an all-island basis, to take forward the new funding arrangements for delivery of its strategic priorities. The Ulster-Scots Agency recently awarded over £300,000 to organisations to promote and deliver Ulster-Scots music and dance. Plans to restore the Upper Lough Erne to Clones section of the Ulster canal are being pursued by the Department of Culture, Arts and Leisure and the Department of Arts, Heritage and the Gaeltacht.

Official figures and sentiment showed a positive year of tourism growth in 2013. “The Gathering Ireland 2013” and Derry/Londonderry UK City of Culture 2013 were cited as successes by the vast majority of those in the industry. Trade and industry feedback on 2014 prospects and sentiment are generally positive.

We acknowledged the ongoing work on the reform of the North/South bodies’ pension scheme, including recently approved amendments to ensure that the scheme complies with employment legislation and best practice in both jurisdictions and to increase employee contributions. We also noted the current position on a North/South consultative forum.

The Council approved a schedule of NSMC meetings proposed by the joint secretariat, including an NSMC institutional meeting in autumn 2014 and the next NSMC plenary meeting in December 2014.

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister): I thank the Minister for the update on the meeting. On

financial and economic matters, I ask the Minister about InterTradeIreland and the proposed cut in its budget of, I believe, £1·2 million, £400,000 of which was from the Executive and £800,000 from the Dublin Government. That would represent well over 10% of InterTrade's budget.

My question is twofold. First, why such a big cut when the Executive's commitment is to put the economy first? Secondly, what is the Minister's assessment of the impact on InterTrade's work programme and economic development, North and South?

Mr M McGuinness: InterTradeIreland has, as many people know, been a tremendous success in encouraging all sorts of collaborations and business enterprises on the island.

The whole issue of financing the North/South bodies is obviously critically important against the backdrop of the severe budgetary difficulties that we and Dublin face. The financial memorandum is there as a key document on the financial and accountability framework to which the bodies operate. Therefore, it is important that it remain current and reflect best practice.

The review has been ongoing for some time, but I understand that, with a little bit of effort, it is now at a stage at which it could be completed relatively quickly. It is important that officials, North and South, work together to ensure that working constructively and on a timely basis enables them to progress and complete that important review as quickly as possible.

The Member is right: there are difficulties in how we move forward with the bodies. It is important that each of the North/South bodies, like all other public bodies, delivers its objectives and programmes efficiently, particularly in the current fiscal climate. In that context, and given the pressures on public finances in both jurisdictions, the two Finance Departments agreed a further minimum cash release and efficiency savings programme of 4% in 2014, culminating in 12% over the period 2014-16.

Each body must deliver those minimum savings of 4% per annum, but each could go further if required or if agreed by the sponsor Departments. The resulting proportionality of funding, North and South, linked to the assessed benefit of the activities of the body to each jurisdiction, should also be kept under review.

10.45 am

Mr Moutray: At a time of budgetary cuts, many of them due to Sinn Féin's ludicrous position on welfare reform, can the deputy First Minister outline the levels of cuts that he will support in relation to the North/South Ministerial Council?

Mr M McGuinness: In the answer that I gave to the leader of the Ulster Unionist Party, I covered the agreements that have been made by both Finance Departments in relation to the bodies. Given that, no doubt, during the course of this session, people will refer to my party's position on welfare cuts, I just want to quote from a speech made yesterday by a British Government Minister, Vince Cable, who said:

> *"The Tories are ideologically obsessed by cuts, because they see it as a way of destroying public service and the welfare state, which they detest."*

It is a very revealing comment from a British Government Minister about how cuts in Britain, not alone here, are beginning to impact on the most marginalised, disadvantaged and poorest in society.

Ms McGahan: Can the Minister give us any information on the development of the new INTERREG and Peace programmes?

Mr M McGuinness: Obviously, a considerable amount of work has been done on that and agreements have been reached in recent times. The draft Peace IV and INTERREG Va programmes were submitted to the European Commission on 22 September 2014, which is in line with the regulatory deadline. Further negotiation will now take place between DFP, the Department of Public Expenditure and Reform and the Commission to agree final programmes. It is expected that negotiation with the Commission will last up to six months.

The NSMC will have the opportunity to consider both programmes before they are approved and open for calls. I know that there is an awful lot of interest in the community about how that is going to affect programmes in the time ahead. It is now clearly with the Commission and that will be an important negotiation, the outcome of which will have to be approved by the NSMC.

Mr Attwood: Given that the biggest issues on the agenda appear to have been financial and economic matters, given the scale of organised crime on the island of Ireland and mindful that the biggest illegal waste dump ever in these islands is two miles outside Derry, and that those responsible have £50 million out of that criminality, will you and the First Minister approach the Dublin Government about having a conversation at the next NSMC meeting about the threat of organised crime and waste crime on the island of Ireland?

Mr M McGuinness: I have no hesitation whatsoever in accepting that both jurisdictions face real challenges from organised criminals, North and South — people who are involved in all sorts of activities, much of which does enormous environmental damage locally. The Member cited what was a disgraceful practice outside the city of Derry.

In the cross-border movement of waste, the 2013-14 waste repatriation programme has been completed successfully. There is continued joint cooperation between jurisdictions on enforcement action. Of course, we welcome the ongoing work of the NIEA and other authorities, North and South, in their contribution to combating fuel laundering and dealing with the environmental impact of the waste generated as a consequence of that illegal activity in order to protect the environment and human health. A lot of work is being done between Departments and police services, North and South. If more work can be done — I note the comments of the Member — we will certainly take that into consideration at the next meeting of the NSMC.

Mr Lyttle: The First Minister and deputy First Minister recently received a letter from individuals in America expressing concern that the peace process is losing its power to inspire children with a vision of a shared future.

Therefore, in relation to discussions around the Peace programme at this session, what outcomes of the multimillion-pound EU peace and reconciliation programme III can the deputy First Minister point to in order to encourage us and what are the key aims of the EU peace and reconciliation programme IV?

Mr M McGuinness: First of all, the issue of a letter from America — certainly not that letter from America — did not come up during the NSMC meeting. I always welcome the interest of people who have made contributions to our peace process over many years. Of course, we are all very conscious of the challenges that we face in relation to the issues that are out there, which will hopefully be addressed during what needs to be a very genuine process of negotiation to resolve them and give further momentum to a process that certainly up until now has caught the imagination of the world, including many in the United States of America. I will not dwell much on that.

The 2007-2013 Peace III programme has a total budget of €333 million and is fully committed. Peace III has achieved its entire EU spending targets to date. The total programme expenditure to the end of August 2014 was €247 million against an EU target of €250 million by the end of December 2014. The 2015 target will represent the full programme budget. It is vital that EU income is maximised. The SEUPB must now manage the portfolio of projects to successful conclusion within the eligible programme time frame.

INTERREG IVa has a budget of €256 million. Eighty-eight projects have been issued with a letter of offer. That programme is now fully committed. INTERREG IVa has exceeded all of its annual expenditure targets to date. Meeting spending targets for 2014-15 will be challenging, but DFP is monitoring the situation closely and working with the SEUPB to manage the risk and ensure that no EU income is lost.

There will also be a process of developing the new Peace and INTERREG programmes for 2014 to 2020. They have been submitted, as I have said, in line with regulatory practice. Negotiation is ongoing.

Mr Spratt: In relation to the North/South bodies pension scheme and the ongoing work on that, can the deputy First Minister tell the House when that work is likely to end and when best practice of both jurisdictions in employment and increase to pension contributions by employees will take place?

Mr M McGuinness: We obviously welcome the agreement at the North/South Ministerial Council meeting on 30 May 2014 to increase employee contributions with effect from 1 July 2014. Those increases apply only to members in the North pending the decision of the Labour Court in the South. The changes will help to ensure the sustainability of the pension scheme. We note that the wider reforms are on track for implementation in April 2015. We encourage the finance Departments and the bodies to work together to ensure that the changes are implemented on schedule.

Mr McMullan: Go raibh maith agat. Can the Minister give us any detail of the discussions regarding Horizon 2020?

Mr M McGuinness: An ambitious and challenging target of €145 million for the North under Horizon 2020 has been agreed by the Executive as part of the new innovation strategy. All the Northern contact points have now been put in place, meaning that there are now seven thematic experts housed in Queen's University and the University of Ulster with a regional remit for support under Horizon 2020. Invest NI continues the role as our contact point for SMEs given the continued focus of both the Commission and our Executive on encouraging SME participation in competitive EU funding programmes. A specific contact point for the agrifood area has also been put in place in the Agri-Food and Biosciences Institute (AFBI). DETI is currently developing a new Horizon 2020 strategy that will identify our priorities in future areas for action. There is an ambitious and challenging target of £145 million for us under Horizon 2020, and that has been agreed by the Executive as part of the innovation strategy.

It is important to say that, at the meeting, it was recognised that Horizon 2020 offers huge potential for us to collaborate on a North/South basis to improve success rates in accessing this funding stream. InterTradeIreland is currently developing a strategic action plan for Horizon 2020. That is being prepared with the support and agreement of the all-island steering group for Horizon 2020. The strategic action plan sets out past performance under FP7, North/South, and maps that across onto Horizon 2020 for areas of greatest potential success.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an LeasChéad Aire as a ráiteas. I thank the deputy First Minister for his statement. Will he give us some more detail on the development of the north-west gateway initiative?

Mr M McGuinness: We noted at the meeting the conclusion of consultations with regional stakeholders in the north-west on the current relevance of the north-west gateway initiative to the needs of the region. That was a useful exercise that provided a great deal of information and insight into the needs and aspirations of stakeholders in the north-west. Taking account of the views expressed by regional stakeholders, we have asked that further consultation now be undertaken with the relevant Departments on the issues identified in the course of the consultation. Thereafter, we remain committed to a meeting of relevant Ministers and officials in the north-west to consider the future strategic approach to the development of the region. Just recently, I was privileged to officially open the new regional North West Science Park at Fort George. That is a very important development on that site and will, along with Ebrington, in the time ahead be an area where new jobs, which are badly needed in that area, are created. The linkages to the Letterkenny Institute of Technology are also important in the development of the science park. That is an example of how we can successfully work very positively and constructively together.

Mr Eastwood: I thank the deputy First Minister for his statement and his answers thus far. He talked about the north-west gateway initiative and mentioned the links with Letterkenny IT. Will he expand on what discussions were had around the very necessary expansion of Magee university in order to meet some of the difficulty around the unemployment crisis?

Mr M McGuinness: The One Plan sees the expansion of higher education in Derry as key to the city's regeneration. The number of undergraduate places in our two universities has increased by 1,210 during this Assembly period. An additional 377 higher education places have been created in our further education colleges. The University of Ulster received 652 places and has undertaken to deploy those at Magee. Due to budgetary pressures, financial support to the higher education institutions has been reduced by 3·95% in the current academic year. The strategy board in Derry has commissioned an economic appraisal for the expansion

of Magee. Should the appraisal make the case that the campus should be expanded, the Employment and Learning Minister has undertaken to submit a bid for the expansion in the next comprehensive spending review. We understand that, at present, the University of Ulster is working on an economic appraisal for a new teaching block at Magee. Once that is completed and approved, it will be eligible to receive capital funding.

The future of Magee is of major importance and significance for the people of the north-west. Recently, I met a number of very important stakeholders, many of whom believe that Magee will only really flourish when it becomes, at some stage in the future, an independent university. We have not got to that point yet, but I certainly think that there is a strong argument that DEL and the university authorities recognise the responsibility that they have to contribute to the development of a university that will make a major contribution to the lifestyle of people in that area.

A number of years ago, in the company of the university authorities, I was part of an announcement for a major expansion of the university, which did not come to pass. That was disappointing, and I have to say that I have been very critical of the university authorities over that.

11.00 am

Dr McDonnell: I thank the Minister for the dialogue and discussion so far. I will stick with the north-west gateway initiative: what action can the deputy First Minister take to ensure that the commitments reached will be implemented speedily, including strengthening the strategic focus on the north-west, and to ensure that there will be an early meeting with Ministers and officials? I am specifically concerned about the A5, which is vital to that area. Is the plan to develop the A5 properly still afloat or has it sunk?

Mr M McGuinness: In an earlier answer, I made it clear that there is a commitment to a meeting of relevant Ministers and officials in the north-west to tackle all the issues that clearly relate to the north-west gateway initiative. Minister Kennedy was not at the meeting, so the A5 project was not discussed in detail, but it was raised. In the context of that initiative, we advised the Irish Government on the current position with the project. We are all very familiar with the present difficulties that arose out of the judicial review, which dealt with 12 points of objection, 11 of which were overruled and one of which was upheld.

At present, the Minister for Regional Development is processing, through others, an approach to satisfy the courts on the habitat objection that found favour with the judge. There is a lot of confusion in the north-west on the reasons why the A5 people are making the case that there is no commitment from the Executive. Nothing could be further from the truth. The Executive and the North/South Ministerial Council are absolutely committed to the A5. It was stopped not by the Executive but by the courts. An additional complication was the fact that the Irish Government, during the process of trying to move the project forward, told us that they had to take a decision to withdraw substantial funds from the project. So, the difficulties with the A5 were not presented by this Executive.

Mr Allister: I suspect that the deputy First Minister will not be much interested in this point, but maybe the First Minister will take it up. When this jamboree of self-congratulation about the worth of North/South cooperation was going on in Dublin on Friday, back in Belfast, not for the first time, the chief coroner of Northern Ireland was protesting the lack of cooperation from the gardaí on the inquest into the Kingsmills massacre.

Mr Deputy Speaker: Will the Member —

Mr Allister: Did anyone think to raise that on the fringes of the conference with the Taoiseach —

Mr Deputy Speaker: Order. Will the Member direct his question —

Mr Allister: Or is that something that is just —

Mr Deputy Speaker: I ask the Member to take his seat.

Mr Allister: — to be swept under the carpet?

Mr Deputy Speaker: I ask the Member to take his seat.

Mr Allister: What is your problem, Mr Deputy Speaker?

Mr Deputy Speaker: That question was clearly not related to the statement.

Mr D McIlveen: My apologies that I was a little late into the Chamber this morning. The deputy First Minister mentioned small and medium-sized enterprises. One of the primary issues that SMEs raise about the drawdown of funds is that it is so cumbersome that it nearly prohibits them from applying. The deputy First Minister mentioned a specific contact for the agrifood industry, which we welcome. However, when it comes to other small and medium-sized enterprises, such as manufacturing and engineering companies, what does he propose that they can do to receive support from the Department in drawing down such vital funds?

Mr M McGuinness: The Member raises an important issue, which the First Minister and I addressed during our previous visit to Brussels when we met Máire Geoghegan-Quinn. She, on foot of that conversation, held a number of meetings in the North specifically for the purpose of advising small and medium-sized enterprises how they could more readily access funds from Europe and make what was a complicated system much more straightforward.

We now have a new Commission in place and will have to continue to do that work with the commissioner who replaced Máire Geoghegan-Quinn. It is certainly an issue, and we think that we can increase the drawdown of funds if we can ensure that our small and medium-sized enterprises have an ongoing relationship with the European Union. We hope that we can continue with that work, which is a process of education vís-a-vìs the knowledge base that small and medium-sized enterprises need to have to access Europe. That can frighten a lot of people off, but, when explained, we have seen over the last while an increased desire among small and medium-sized enterprises to engage with Brussels.

Executive Committee Business

Insolvency (Amendment) Bill: First Stage

Mrs Foster (The Minister of Enterprise, Trade and Investment): I beg to introduce the Insolvency (Amendment) Bill [NIA39/11-15], which is a Bill to amend the law relating to insolvency; and for connected purposes.

Bill passed First Stage and ordered to be printed.

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

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

Private Members' Business

Roads Maintenance

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other contributors will have five minutes.

Mr Dallat: I beg to move

> *That this Assembly notes with concern the failure of the Department for Regional Development to adequately fund the roads infrastructure maintenance budget; further notes that this lack of funding will result in job losses or reduced working hours for contractors and suppliers; calls on the Minister for Regional Development to assess forensically his departmental budgets to highlight areas of non-essential spending where savings can be made; and further calls on the Minister for Regional Development to work with his Executive colleagues to institute a comprehensive annual budget process that provides a more transparent breakdown of the allocation of resources.*

I am pleased to present this motion to the Assembly today. I am particularly pleased that the Minister for Regional Development is present and look forward to hearing his response and, of course, the contributions of other Members.

Members may be interested to know that it is almost five years to the day since Professor Martin Snaith, a leading authority in the field of structural maintenance and road condition assessment, presented a report of his findings on the state of the 25,000 kilometres of roads in Northern Ireland. The roads Minister of the day, Conor Murphy — you may remember him — welcomed the report, claiming:

> *"The condition of the North's roads is of vital importance to the economy and it is essential therefore that the road network is properly maintained to provide a safe and efficient road network."*

Professor Snaith's report highlighted the case for significantly enhanced investment to carry out much-needed maintenance repair work across the roads of Northern Ireland.

In its findings, the report recommended that the overall structural maintenance budget should be increased to around £108 million per annum, which was considerably lower than that in England or Wales and about the same as in the Republic. In the intervening years, the road maintenance budget has relied on monthly monitoring rounds to a great extent to squeeze money out of the Executive to shore up what is, without doubt, a deteriorating situation when, clearly, the findings of Professor Snaith are long forgotten.

On the last day of July, our present Minister, Danny Kennedy, hit us with the bombshell that his budget was under considerable strain and that that would have an impact on the delivery of front line services to the public. This, according to the Minister, would include such

services as street lighting repairs, road maintenance, grass cutting, gully cleaning and the maintenance of traffic signs and road markings. He went on to say:

> *"Naturally this will have a detrimental impact on external contractors who provide these services across Northern Ireland."*

Mr Kennedy concluded by warning us that he could not rule out curtailing winter services later this year. Certainly, Danny Kennedy was telling us that hundreds, even thousands, of people working in the various divisions of road maintenance and improvement would lose their job and that the companies that employed them would face potential bankruptcy because they would not have the regular income to make repayments on the new plant and machinery acquired in the expectation that they would have continuous work in the foreseeable future.

I will be surprised if there is no mention of welfare reform, but, before anyone gets carried away with that, I need to remind Members that our approach to road maintenance was fatally flawed long before the current Tory Government decided to rob the poor. In doing my research for the debate, I decided to go back in time to find out if things were done any better before the establishment of the Assembly, and my focus dwelled on the period of the Roman empire. Regrettably, the Romans did not get as far as this country to build their roads, which, in other parts of the world, have lasted for thousands of years. Yes, Principal Deputy Speaker, we had other visitors in the meantime: William and James came here, but they are remembered for crossing rivers, certainly not for building roads. Following the period of the Roman empire, many of the brilliant roads that they built disappeared during what some people might call the Dark Ages, when little or nothing was achieved; indeed, some roads were actually dug up. I seriously ask myself this question: are we now in another dark age when the current network of roads has been allowed to fall into disrepair to such an extent that some of them will become too dangerous to use? Anyone who reads Professor Snaith's report, which I referred to earlier, can reach no conclusion other than that we are sleepwalking into a future in which we will create a legacy of neglect that puts us on a par with those who allowed the wonderful Roman roads to become a legacy that no longer exists.

The motion is not simply about criticism of the shortfall in funding in road maintenance; it calls for a comprehensive annual budget process that provides for a more transparent breakdown of the allocation of resources. The point I wish to make is this: whether there are issues relating to welfare reform or not, there is an urgent need to reform how road maintenance is planned and budgeted for. It is my wish that that is where the focus of this debate is concentrated, because we cannot go on depending on monitoring rounds to fund critical road maintenance. That is failing and building only a legacy of neglect that a future generation will have to pick up some time. That is very wrong.

Recently, our Minister said that it takes 20 years from inception to the completion of a new capital project. I know that the people of Dungiven will immediately reject that claim, given that they have been waiting 40 years for a bypass. Anyway, let us say that it takes on average 20 years to put the finishing touches of tarmacadam on a new road. I wonder, seriously, how long it takes to destroy a road through lack of maintenance. You do not have to take my word for it. The Department, from its own findings, will tell you that there are already serious problems building up that will eventually result in massive amounts of money being needed to be spent shoring up roads that are already undermined through lack of routine maintenance. Of course, money is not the whole issue. Yes, I know that most road deaths are caused by human error, but there is no doubt that poorly maintained roads contribute to death and serious injury, particularly during the winter months, when, as our Minister has already warned us, he may have to curtail expenditure.

11.15 am

Getting to a conclusion, I wish to return briefly to the Romans to clarify a point. The Romans were not the first race to build good roads. Much of the expertise was copied from previous races, and I ask this question: are we going to learn from the past, or will we be part of a new Dark Ages that allows good roads to decline to such a state that they cease to exist and are no more? Will a new generation at some time in the future rediscover them, just as the Roman roads were rediscovered and, indeed, built over? The current Minister deserves the support of the Assembly to put in place a system that avoids the stops and starts that contractors and workers have had to live with. It is fast getting to a situation where some of the contractors may well go to the wall. No one expects the Minister to have the wisdom of Claudius, who conquered Britain — we certainly do not want him poisoned — but he needs the support of the Assembly to fundamentally change the way that we conduct our road maintenance.

Cutting corners on road maintenance to balance the books is only stacking up trouble for the future. As it stands, every road can expect to be resurfaced every 102 years on average. That is from departmental figures. Many roads are already undermined due to poor drainage. There is a massive bill every year for compensation for personal injuries and damage to vehicles. Road deaths are again on the up and up. People who did this work are on notice as we speak that they will be joining the unemployment register. We must not sit on our hands while our roads crumble under our feet.

Mr Clarke (The Chairperson of the Committee for Regional Development): I welcome the opportunity to speak on the motion in my role as the Chair of the Committee for Regional Development. It was timely that, at my first meeting as Chair, the Committee received a briefing on the October monitoring round. This was the first time formally that the outcome of the June monitoring round was presented to the Committee. Of course, members will have been aware of the outcomes because the Minister had previously detailed them through the press through the use of, quite frankly, very emotive pronouncements during the summer and in the House. I will not use this ploy; rather, I will support the thrust of the motion by stating the facts as they are.

First, the overall annual budgetary requirement for just maintaining our roads is, as I think has been said, £133 million. That £133 million is to keep our roads as they are and to keep them in a condition where it was reported that, in 2009, 46% of the trunks roads were below the UK skidding resistance investigatory level. Almost half of the roads were assessed as being unsafe. On top of this, there was a substantial backlog in respect of the

structural maintenance programme that currently stands at approximately £830 million. In a meeting that I had with the departmental permanent secretary and his senior management team last week, I was advised that for every pound below the £133 million required to maintain the network another £1·60 would be added to the backlog. On the basis that the starting budget for roads maintenance this financial year was £56 million, with £20 million or so being allocated in June, we currently have a deficit of £57 million, and this adds another £90 million to that backlog. Again, the condition of our roads is starting to decline.

At this point, I hasten to add that, between June 2011 and January 2014, the Minister and his Department made 72 bids in the monitoring rounds and the Executive honoured almost 62% of those bids. The Minister is on the record as saying that, in the past three years, the Department has been very successful in funding road maintenance. Of course, this success has coincided with funding being available, which we all know now is not necessarily the case.

The welfare penalties have impacted on all Departments. DRD differs slightly in the way that its budget is allocated, with the in-year monitoring rounds being used to top up the departmental budget rather than allocations being provided at the beginning of the year. That process, of course, was collectively agreed at the Executive, of which the Minister is a member, and, indeed, in his departmental business plan, he described that approach as strategic and a valuable opportunity to secure additional funding. As stated, the Minister and his departmental officials agreed that with the full knowledge of the audit report on structural maintenance in 2000 and despite the comments of the then chief executive on the 2009 annual report:

> *"I am concerned that the level of funding made available to Roads Service for structural maintenance is insufficient to maintain the network in a satisfactory condition on an ongoing basis."*

The Department has recognised in its business plan that less funding being made available during the in-year monitoring process might have an impact on its ambitions as set out in the plan. It is difficult, therefore, to reach any conclusion other than that the Minister and his departmental officials went for the soft touches when applying for his portion of the welfare penalties.

Mr Easton: Will the Member give way?

Mr Clarke: I will.

Mr Easton: Will the Member agree with me that the cut to the maintenance budget is quite serious and that maybe the Minister's Department could have looked at other avenues to try to find funding through his Department such as savings to the £3,000 worth of taxis that his Department uses or looking at reducing the fuel costs of £2·4 million for the Northern Ireland Transport Holding Company and, indeed, the Translink reserves of £25 million? Surely there is room for savings there that could have helped without making these cuts.

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

Mr Clarke: Thank you. I will cover some of those points as I speak on.

Nowhere in his business plan is there a suggestion that footway and carriage maintenance, cutting grass on verges, gully emptying, road marking, traffic light maintenance or the suspension of external contractors for street lighting are departmental ambitions. They are not, but they are easy and emotive and that is why they were chosen. There was no forensic analysis of the departmental budget lines and no assessment of the severity of the risk, and I think that Members will appreciate that those points were all raised when we had the briefing two weeks ago. The Department would easily have seen the cost increase in public liability claims and payouts that result from not cutting the budget but removing these essential services. They will have also seen that, for every million they have removed, between 13 and 22 specialist jobs will be lost to the sector, and that will hinder the recovery should the budgets become available in future.

My colleague referred to Translink. One of the interesting things that turned up in that monitoring round when we talked to the Department was that the accounts showed a cash balance of £56 million. Of course, that was reported in Hansard on 2 July 2014. My predecessor, Mr Spratt, had suggested in the past that there was a cosiness in the Translink/DRD relationship, and I have to say that I saw that during the October monitoring briefing. Yes, they need £15 million for in-year payments and are projecting a £9 million loss, but that still leaves a £33 million cash balance.

In closing, I will maybe make a few remarks as a member of the DUP —

Mr Principal Deputy Speaker: Sorry, your time is up.

Mr Clarke: OK.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I support the motion. As the proposer said, the condition of the roads in the North is of vital importance to the economy, and, therefore, it is essential that the road network is properly maintained to provide a safer network. That is what all our constituents expect. As an elected representative from a rural area, I find that roads are one of the key issues that come to our attention on a daily basis. I have a continual list of roads needing upgrade and repair in Fermanagh, and, when a network is complete, other roads become priorities. I must acknowledge that quite a lot of money has been spent on the county over the last number of years, because there has been sizeable success in the monitoring rounds for the Department. I must add that they have been done to a high standard by the local Clarke's group. However, that is in the past, and we find ourselves in a different funding environment with budget constraints today.

I do not want to wade into the debate on how this has come about. The reality is that the block grant has been reduced. As a result, we had the Minister's statement at the end of July when we were in recess. It stated that there would be a:

> *"severe impact on the delivery of frontline services to the public. This will include services such as street lighting repairs, road maintenance, grass cutting, gully cleaning and maintenance of traffic signs and road markings."*

Mr Beggs: Will the Member give way?

Mr Lynch: I will.

Mr Beggs: Does the Member acknowledge that policy decisions that he and his party have taken have contributed to that?

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

Mr Lynch: Thank you. I said that I was not getting into the debate on why the budget was reduced.

The Minister went on to say that that would:

> *"have a detrimental impact on external contractors who provide these services".*

The question is this: did the Minister simply take the soft option — I think that the soft option came up a number of times in Committee — and cut front line services and target the external contractors who provide those services across the North of Ireland?

Mr Clarke: Will the Member give way?

Mr Lynch: I will.

Mr Clarke: I know that the Member does not want to get into the depth of the argument on this — I acknowledge that they were a soft touch — but does he not accept that his party's position on welfare reform has left this Department and other Departments in a very difficult position in trying to find the £87 million? Yes, as I said, those may have been a soft touch, but, if your party would face up to the reality of welfare reform, that would be £87 million that Departments would not have to find.

Mr Lynch: I thank the Member for his intervention. Again, I am not getting into that debate, but you cannot conflate the issue of welfare cuts and the reduction in the overall block grant.

When the monitoring round was discussed at the Committee a number of weeks ago, officials told us that the Minister had no option but to make the decision that he did. When I asked them to detail the risk assessment process that the Department undertook in prioritising and drawing together the proposed bids, the answer was that the Department took all the money that it could out of other areas before it got to the contractors. Will the Minister take this opportunity to elaborate on what that process involved before they reached the contractors?

The Department was aware that funding restrictions and pressures were coming down the track, yet the contractors were not advised or engaged with before the Minister made his decision. I have spoken to some of the employees who have been put on notice and to the contractors, who said that, if the Minister had engaged, outlined the funding difficulties and reached an agreed reduction — that is, a percentage reduction — they could have planned a way forward for their staff and plant hire. The fact that the Minister totally ceased funding does not make sense. Why did the Minister not take that approach? The contractors are reasonable people who recognise that there are funding pressures. The recurring theme during the Committee meeting was that he took the easy option, as I said at the outset. Minister, your officials said that other options were considered, although little detail was forthcoming. You may want to respond to that and elaborate on what those options were. I spoke to people who will be paid off as a result of the Minister's decision, and they are people with real livelihoods and families.

The resource budget for small maintenance works is a small percentage of the Department's overall budget. I have no doubt that, if a thorough trawl had been undertaken, the savings could have been found elsewhere without job losses and without causing safety issues for the public.

Mr Beggs: There is a fatal flaw in the motion, in that it is targeted at DRD rather than at DFP and the whole budgetary process. I must admit that I welcome the comment made by the proposer of the motion, who said that he recognised that failings in the Budget process have contributed to this.

Planned road maintenance minimises the risk of accidents and the long-term cost of the upkeep of our roads. Expensive, repetitive temporary patching can often result in increased costs as opposed to the regular, planned resurfacing of roads. As others have indicated, there is also the problem of potholes and the increased risk of compensation claims against the Department.

11.30 am

Mr Clarke: Will the Member give way?

Mr Beggs: I have just started.

In a recent answer, the Minister indicated that the structural maintenance budget needed to maintain the current roads standard and prevent deterioration is £133 million a year. Looking at previous figures, you will see that in 2008-09, and again in 2010-11, the funding was between £63 million and £88 million. In 2011-12, it increased to £120 million, and, in the following year, it was £110 million. In the last financial year, £130 million was spent on structural roads maintenance. I commend the Minister and the Executive for that significant increase in funding up until the current year.

When considering the motion today, I think it is important that we recognise how the current and previous Finance Ministers have largely allocated the funding to roads maintenance on the capital and resource sides. The increased funding was delivered largely as a result of increased in-year monitoring, money that was passed to Roads Service for structural roads maintenance as a result of failures to spend by others. The Department, working closely with contractors, could react quickly to make use of that funding and improve our roads infrastructure; and therein lies one of the current problems that contributes to the significant reduction in maintenance being carried out and to the funding of contractors. The June monitoring round was, of course, delivered late, at the end of July, limiting the time and ability to react to those decisions. While the bidding was for £77 million, capital funding of only £12 million was received. On the resource side, the DRD indicated that it could probably spend an additional £48 million, yet only £5 million was received.

Why do I highlight this? It is clear that, with tighter budgets in these current times, less funding from in-year monitoring can be expected in future. This approach can no longer continue if we wish to maintain our roads. The Budget approach of 2011 has clearly failed to account for this change, and other pressures have emerged in other Departments such as Health. However, the Finance Minister and the DUP and Sinn Féin, who lead the Executive, have refused to reprofile such issues in an annual Budget process.

We then, of course, have welfare reform, which is costing £87 million this year and will cost £114 million next year.

When the proposers of the motion and Sinn Féin decide to oppose welfare reform, they are deciding to apply cuts to a wide range of issues including Roads Service and including the very contractors that they indicate they wish to support. Those cuts can be traced back to that.

Mr Clarke: I thank the Member for giving way on that particular point. The previous Member who spoke said that people are losing their jobs because of these cuts, but what they are not recognising is the number of jobs that will be lost because of the non-implementation of welfare reform, which will have a much greater impact. While this situation is bad, it impacts on a small number of jobs. The impact of welfare reform will be much greater through jobs lost. The party opposite fails to recognise that.

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

Mr Beggs: Thank you. I concur with much that the Member said.

As a result of that £87 million cut and the reduction in in-year monitoring, we did not receive any additional money that had previously been expected. In fact, the Finance Minister announced a 2·1% in-year reduction across a broad range of Departments, with a further 2·3% to come. That is the worst possible way to manage any Budget: to distribute money, plan resources and then, at the last minute, four months into the financial year, change direction. At that time, many contracts will have been signed, employment levels will have been determined and, I suspect, there would be very few options available. That is the worst possible way to run a Budget and it is something that we must not repeat in the forthcoming year. We should be sorting out the Budget for next April now by taking decisions. If Members wish us to adopt their views on welfare reform, they ought to reflect that in policy and expenditure decisions.

In cutting Roads Service expenditure, the subcontractors have borne the burnt. One aspect of the motion that I can agree with is that the Executive need to have a more transparent annual Budget process. Of course, it is Sinn Féin that stopped that. It was their Minister — the Education Minister — who refused to go with it. So, the reason why we do not have a transparent and easily understood Budget process is Sinn Féin. That is further evidence of voodoo economics and further meaningless motions that they appear to be backing. What we need is a timetable when these —

Mr Principal Deputy Speaker: Your time is almost up.

Mr Beggs: — transparent processes will be put in place so that we can make better use of our limited funds.

Mr McCarthy: I, first, thank Mr Dallat, Mr Byrne and Mr McGlone for bringing this very important issue to the Floor. On behalf of the Alliance Party, I support the motion. I welcome the Minister's presence in the House. I sincerely hope that he and his Department will be able to secure the funding to provide a decent roads maintenance programme. That, in turn, will assist contractors to do the work and, thus, prevent the loss of jobs.

I want to pay tribute to all those who are engaged in providing better and safer roads throughout Northern Ireland. It can be a pretty tough job being out there in all weathers. They do very necessary work, not always with the blessing of the travelling public. Repairing roads can be a dangerous profession, with traffic whizzing past and always in a hurry, without regard for the safety of staff who are engaged in that essential work.

Like all other Members, I was disappointed a few weeks ago when Minister Kennedy informed the public that his reduced budget would result in potholes on our roads network not being repaired and, of course, street lights not being repaired because of a lack of money for replacement light bulbs. What has this place come to? Northern Ireland cannot afford to keep our streets lit, as we cannot afford a few bulbs here and there. If it were not so serious, it would almost be a joke.

As a former member of the Committee for Regional Development, I attended a meeting a couple of weeks ago at which senior officials painted a very gloomy picture about funding shortages. That was despite the fact that DRD got some extra £12 million from the June monitoring round.

Our roads simply have to be maintained. The last thing any Member wants is to see further road deaths as a result of lack of maintenance or, indeed, whatever else. At this point, I am sure that Members will join with me in offering our deepest sympathy to the latest victim of our roads, a young man from Bangor called Mr Barbour, who lost his life on the road between Greyabbey and Ballywalter only last weekend. We are all too aware of the increased number of fatalities on our roads, and those simply cannot continue. We must always seek to make improvements where necessary.

At the Committee meeting I referred to, the senior officials went over the consequences of the Department not benefiting from the October monitoring round. All the Committee members were disappointed at the decision not to renew the contracts of contractors, who, as Mr Dallat informed the Assembly, are engaged in work on footway and carriageway maintenance, grass cutting, environmental works, gully emptying, road marking and traffic signals. Those are the basics that keep the roads at least half safe, and all that work is vital to ensuring road safety in all our areas.

Another important aspect of keeping our footways and roads safe is the gritting schemes that are carried out during the winter. Even those operations may now be cancelled. We all know of the outcry, some years ago, when the main streets in our towns were not gritted during the heavy snow.

Much depends on the outcome of the October monitoring round. We know of the huge demands on all the Departments, but let us hope that there is a fair distribution of whatever funds are available. We also have concerns about the annual Budget process, but, as we are now into the last year of that, we can accept it and a more transparent breakdown of the allocation of resources.

I thank Mr Kennedy and Stanley Lamb and Stephen Duffy from the Roads Service section offices for the new works that have been completed in the Strangford constituency, particularly in the Ards peninsula, where the roads had been neglected for so long. There is, however, one thing that I must express disappointment at. The Minister and Mr Lamb did not invite me or my Alliance colleagues to a photo shoot at the recent start of work on a footway on the Old Shore Road in Newtownards. We have campaigned for that footpath for years. We are delighted that it has

gone ahead, but we might at least have had an invite from the Minister when he went to cut the first sod.

When other things are happening in our constituency in future, he might take a minute or two to invite those who have been campaigning for years for them. It seems from the local press that other people jump in and take the credit.

Mr Principal Deputy Speaker: Your time is up.

Mr G Robinson: Throughout Northern Ireland, the population is learning about the real-life impact of irresponsible decision-making by some parties, as we face having only urgent road repairs and limited street-light maintenance, which are absolute necessities, particularly at this time of year. I thank all the Roads Service staff and contractors who do a sterling job in the maintenance of our roads and street lighting. The impact will be severe and could cost the Department for Regional Development extra legal fees for claims due to the restriction in road repairs. I hope that those who have created some of the financial uncertainty by refusing to agree to welfare reform will be mindful of the consequences of their action. It is a disgrace, when Northern Ireland is putting forward all its good and positive points to attract new employment opportunities, to see our road infrastructure being denied the investment it so greatly needs to ensure that improvement and repair works are carried out. We must always remember that our incoming investors look for a good road infrastructure, so it is not a positive image for Northern Ireland.

Another concern that has been expressed to me has been the financial position when it comes to road gritting and snow clearing. Those are life-saving requirements and are therefore essential. We can all hope for a milder winter so that the roads budget is protected from that point of view.

The Minister has talked of how much stress his budget is under, and, I believe, he has already assessed forensically his budget to see where savings can be made. Does he have any reserves that he could use to offset some of the roads pressure or return to the central pot for redistribution to other needy Departments during October monitoring?

Mr Beggs: Will the Member give way?

Mr G Robinson: Yes.

Mr Beggs: Will the Member acknowledge that having in-year, last-minute cuts is the worst possible way to run a budget? It should be planned in advance, issues should be resolved, and this should not be repeated. Otherwise there is a possibility of similar issues occurring in this Department and other Departments.

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

Mr G Robinson: That is a matter for the Executive. The Executive, in the main, do a good job.

Mr Clarke: Will the Member give way?

Mr G Robinson: Yes.

Mr Clarke: The Member who made the last intervention made a point about how bad in-year monitoring rounds were. However, does it not sound a bit hypocritical for the Member to defend his Minister, given that the Minister has already defended the good use of in-year monitoring and the valuable contribution that it makes? He is on record as saying that.

Mr G Robinson: I agree entirely.

The Minister is having to reduce front line services to keep within his budget. Are the sponsors of the motion suggesting that the Minister should make people unemployed to meet budget targets? Let us sort the entire Budget problem out maturely, once and for all and on behalf of all our electorate.

When it comes to instituting a comprehensive annual budget process by DRD, is the party of the signatories to the motion aware that, due to the Budget crisis they have helped to create, all Executive Ministers are having to make savings in their Department? I have some sympathy with the Regional Development Minister and find this debate distasteful, as it could be seen as political posturing rather than as a serious attempt to break the deadlock and ease the financial pressures on Departments. Despite my reservations, I support the motion.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin seo inniu. I welcome the opportunity to address the motion and to speak in its favour. Unlike others, I do not believe it to be meaningless, nor do those who work in the industry.

When Professor Martin Snaith, in October 2009, presented his independent report to the Committee for Regional Development, it was widely welcomed, including by the then Minister, Conor Murphy. He recognised the centrality of the road infrastructure and its upkeep to the North's economy. The professor recommended an increase of £108 million to bring expenditure up to a level comparable with the rest of Ireland to some £4,300 per carriageway kilometre, which is still somewhat short of what is spent in England and Wales. However, by June 2012, it was still estimated that the budget for maintenance was some £50 million short of what was required to maintain the structural integrity of the road network in its current condition.

11.45 am

Mr Beggs: Will the Member give way?

Mr Ó hOisín: Yes.

Mr Beggs: Will the Member explain whose fault it is that the budget is £50 million short of achieving the target to maintain our roads?

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

Mr Ó hOisín: If the Member looks at the withdrawal of the block grant, he might find some answers there.

By July of this year, Minister Kennedy warned about the impact that a reduction in the budget would have on services such as street lighting repairs, road maintenance, grass cutting, gully cleaning and the maintenance of traffic signs and road markings. Since then, many of us have been lobbied by many in the industry, including the Quarry Products Association (QPA), contractors and others. I commend them for that lobbying. They work on short-term contracts, often delivered at times of the year when a quick turnaround on the spend is required, and not necessarily in the best weather for the job. The industry works on

low profit margins and often requires a large and flexible workforce to carry out the maintenance.

One thing that we are sure of is that maintenance of the road network is vital to the safety of commuters and travellers. Unfortunately, as of yesterday, we have seen a dramatic increase in deaths on the roads over the same period last year. Indeed, even on our best-maintained roads, we still see seemingly unexplainable and unimaginable accidents and carnage. I came on such a scene as I travelled on the M2 yesterday evening and was shocked at the extent of that accident.

A reduction in investment will have an economic impact, locally and regionally. Indeed, I recall the huge impact earlier this year that the demise of KPL had in my town, the wider County Derry area and further afield. Luckily, at that time, other contractors were able to take up the slack, and many subcontractors were relieved that their work could continue. No such slack exists at this time.

The motion rightly calls on the Minister:

> *"to assess forensically his departmental budgets to highlight areas of non-essential spending".*

The identification of those cuts, as per the July statement and since, however, outlines making savings on items that are essential for safety on the roads infrastructure. That is not a prudent or wise move. As well as the human cost, many more millions will be spent on personal injuries compensation and damage to vehicles. Indeed, in answer to a recent question that I put, I was told that 15,000 claims had been made in the last five years, 55% of which were successful. I support the motion and ask this: what price safety?

Mr Dunne: I also welcome the opportunity to speak on the motion. As an MLA, I listen daily to genuine concerns about DRD road issues. Road maintenance, footpaths, weeds and street lights are amongst the most common issues raised with me throughout my many years as an elected representative for North Down. Ratepayers, who are also taxpayers, expect those services to be maintained to proper standards and to have safe and serviceable roads in our constituencies.

Since the June monitoring round, when Minister Kennedy confirmed an additional £12 million for the structural maintenance of roads and funding that, I understand, was for the development of the Belfast transport hub, there seems to have been a significant shortfall in the resources budget. The decision influenced many external contractors who were carrying out much of the DRD maintenance work. In return, DRD brought in its own in-house contractors to take over the work that other contractors had been doing. However, in a number of cases, they have struggled. In the case of grass cutting, they have struggled to carry out the statutory five cuts a year on the main carriageways, such as the A2 Bangor dual carriageway. Eventually, the third cut was recently completed by DRD in-house contractors.

Mr Ó hOisín: Will the Member give way?

Mr Dunne: Yes, will do.

Mr Ó hOisín: Does the Member also recognise that, particularly in rural areas, either one cut or no cuts were made this year? That caused concern, particularly at traffic junctions.

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

Mr Dunne: I appreciate that, as I represent a partially rural area. I am very much aware that there are areas where the grass has not been cut at all. However, I understand that DRD has different criteria and standards for rural and urban areas.

I made a point about DRD taking on the work of contractors. I wonder how cost-effective that decision was when you consider the overtime involved and the weekends that DRD staff have worked and continue to work to meet the demand for services such as grass cutting. Every year, we struggle to get the grass cut five times on the A2 Bangor dual carriageway. This year, there were serious road safety issues, and local farmers had to cut sections of grass to create an appropriate sight line for entering their farms. Those were serious road safety issues and need to be addressed as a priority.

The Minister could see that the decision to cut the resource budget would have maximum impact on the public across all our constituencies. Other relatively small-scale and often non-essential capital schemes that would have had less impact on ratepayers could have been considered, but I understand that the Minister cannot flex between his capital and resource budgets. Surely, though, stalling some small capital schemes would have made more sense.

Street lighting continues to be another major issue as the winter months approach. I have seen for myself that contractors often need only one man with a lift to do the work, but DRD in-house workers often require two or three operators to carry out the same job. I wonder how efficient that is and how real savings will be made in the long term. It is unacceptable that fewer than a quarter of the street lights reported out over the last few months have been repaired. As mentioned, winter gritting and snow clearance are other major issues of concern to elected representatives. Will they be prioritised? Are we prepared for a harsh winter? What services does DRD have available under its present budget?

Despite this dark picture, some positive work has been carried out. As an elected representative, I continue to work regularly with local section engineers and officers who work hard in difficult circumstances. In the North Down area, we have seen positive resurfacing programmes locally, and parts of the A2 Bangor dual carriageway have been resurfaced. A number of residential areas have had new footpaths and street lights, and their roads have been resurfaced. We appreciate the work done and the fact that it is carried out to a good standard. I put it on record that, in the main, the work done by our contractors is to a good standard, and residents certainly appreciate that. However, the public rightly expect these services to be delivered and not to be left in the dark.

Mr McAleer: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank those who tabled the motion. I represent a rural constituency, and we all know well that infrastructure is very important in rural constituencies because most accidents and fatalities occur on rural roads. In areas such as West Tyrone, which I represent, many are employed by contractors who carry out maintenance and other types of work on the 25,000 miles of infrastructure throughout the North.

The Minister's sudden announcement at the end of July or the beginning of August about works on street lighting, gullies and grass trimming came as a shock. It instilled fear among certain sections of the community, particularly the older and more vulnerable, who had the idea that the lights were going to be switched off. Like all Departments, DRD is expected to trim its budget. There is a very strong view that maintenance is one of the most important aspects of DRD's work because of the implications for road safety. It seems to have been hit quite hard, and there is certainly a view that the subcontractors who were laid off at short notice were a soft touch.

Mr Beggs: Will the Member give way?

Mr McAleer: Go ahead.

Mr Beggs: Will the Member indicate how he would have made savings at this late stage in the financial year, given that in-year cuts were required as a result of his party's policies?

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

Mr McAleer: Thank you for that. Members who spoke previously indicated areas where there is surplus money that could be used. We talked about Translink, for example. It is important to say that, rather than sniping from the sidelines and trying to get a debate on welfare cuts going, Members have been invited to bring the issue of welfare cuts to the House to have a discussion about it. Feel free to explain to your constituents your apparent willingness to slash hundreds of millions of pounds out of the welfare budget, which will affect the working poor —

Mr Clarke: Will the Member give way?

Mr McAleer: — and the most vulnerable in our community. Perhaps that is what you should do, rather than sniping from the sidelines during debates such as this one today.

Mr Clarke: Will the Member give way?

Mr McAleer: I am not going to give way, OK?

Before I was interrupted, I was saying that the plans are considered to be very short-sighted. It is widely accepted by experts that planned maintenance is cheaper than reactive techniques such as patching. Indeed, we will face more public liability claims, which will have economic implications.

Going back to the contractors issue, it is important to say that a lot of them were given just days notice to terminate works. This is people's livelihoods that we are talking about. We just cannot turn on and off people's livelihoods like a tap; that is not possible. A lot of the contractors have invested heavily in equipment and the upskilling of workers, so it is very unfair to expect to just turn them off at short notice. Going back to the point that was made a second ago, areas have been outlined in the DRD budget where funding could be got at instead of attacking the maintenance budget.

I congratulate the Members on bringing the motion before the House today. I will —

Mr McMullan: I thank the Member for giving way. Does he agree that the party across there that talks about budgets gave no consideration to rural isolation and the problems that that causes? This will further add to those suffering from rural isolation. It would be interesting to know how the party will feed into the review that will take place through the ARD Committee on the question of rural isolation.

Mr McAleer: I thank the Member. I was just in the process of concluding my remarks.

Mr Eastwood: This is a very important motion in front of the House today. We brought it because we believed that the impact of the cuts were very serious in terms of the economy. We have heard about the issues around road safety and the future budgetary concerns that will arise from the fact that we have not done the work now. I am glad to support Mr Dallat and his very eloquent history of how road networks across Europe came about. He talked about the great work done by the Roman empire. Some of us here will ask, "What have the Romans ever done for us?". In some constituencies across the North, such as mine, we really understand the benefit that good roads would have for our economy, so we ask, "What have this Government ever done for us?". We are still waiting — Mr Dallat mentioned this — for the Dungiven bypass, the A5 and a proper dualling system from Derry to Belfast. Without those important pieces of work, we will never, above and beyond any current budgetary crisis, meet the needs of the people in our areas because far too many of them are not able to contribute to the economy or soften some of the blows of the cuts because the jobs just do not exist to allow them to do that.

This particular decision is understandable in a way, but it is short-sighted. What is not done today will have to be done at some point. We are looking at a false economy. Contractors are being put out of business, and people are being put out of work. We are also looking at potential road safety issues. However, before he stands up, I agree with Mr Beggs: the problem is not just about welfare reform, although I will talk about that if you want; it is about the budgetary process that we have here, which does not make very much sense. The last time the budgetary process was debated, which was at the beginning of this mandate, we proposed that we would have a system that would look year on year at the budgetary process and interrogate the Budget on a rolling basis.

12.00 noon

For me, that would be a much more transparent way of looking at how we allocate our people's resources. We would like to see a zero-base budgetary process where we could look at every programme at issue and make sure that Ministers justify how they spend our resources.

We would also like to see the Public Accounts Committee working in the same way as the Public Accounts Committee at Westminster, where they are able to properly scrutinise and interrogate the work of Departments on a permanent basis. That would be a far better way of looking at the budgetary difficulties that we have.

At the end of the day, it does not make very much sense for one Minister to be told that they have to take this amount off and another Minister to be told that. We need to look at these things in the round and if a crisis does arise, then we can look at it in the best way possible. We can find efficiencies, rather that what has been happening. I am not accusing this Minister of it, but what has been happening is that because of the political debate around welfare reform, issues like the expansion of Magee have been floated as not

now going to happen, even though that was never proposed in the Programme for Government. Things like that are being floated as a political tool to try to pressurise others.

Let me put it on the record: the reason we oppose welfare reform, and the reason we are going to have to, as a whole and as a society, oppose what the Tory Government are planning to do if they get into power again, is because what is happening here is not cuts to just Danny Kennedy's budget. It is going to be cuts to people's very livelihood. Money is going to be taken out of the pockets of the most vulnerable in our society because the Tory Government who are here today and the one who could be here after the next election blame poor people for poverty — they blame poor people for poverty, and they give tax cuts to richer people.

That is the situation we are in and are going to be in unless everybody around this Executive —

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

Mr Eastwood: — and this Assembly gets together and stands up to them, because I have seen people around here talking about walking out of Government over far less.

Mr Kennedy (The Minister for Regional Development): Mr Principal Deputy Speaker, I thank you for chairing what has been an interesting debate. I listened carefully to 10 Members. I want to say at the outset that people at home, I think, will perhaps have a greater understanding and see clearly the reasons why I have made decisions. I will outline, as part of this presentation, why I and my party will be opposing this motion.

People will understand clearly that you cannot spend what you do not have. As a result of the June monitoring exercise — which concluded, as we know, at the end of July, and that in itself speaks volumes — I no longer have, and therefore I can no longer spend. It gives me no pleasure to see contractors put on pause, and it does not please me to see the implications for employees and their families. I do not want the public to receive a lesser service, but that was the inevitable consequence of the June monitoring cuts — something, of course, that I did not vote for.

As I say, people at home well understand the need to budget. These have been difficult years for many, with real pressures on household budgets. The public know that you must pay your compulsory bills first: your rent or mortgage, your heating and your electric. Some people save on the areas where they can. Maybe they no longer can afford satellite or cable TV, maybe make fewer phone calls, buy fewer clothes or even buy more basic food. Government is no different. There are areas in which we simply cannot make savings and areas in which we can.

I absolutely assure the sponsors of this motion and others that I have already looked forensically at my budget. That is nothing new — I have been looking at it forensically as an ongoing process since I took office, and there are a number of real problems with the approach adopted by the Executive when they considered June monitoring at the end of July.

The first problem is that the savings requested were not on proper notice; that meant that we did not have proper time to prepare. It therefore limited the options available to Ministers and Departments.

I remind the House that some savings actually cost. We might all like the most fuel-efficient boilers for our homes, but they come at an upfront cost, with our savings being made through reduced bills over a number of years. Likewise in a Department, for example, internal redundancies may be made as opposed to pausing work issued to contractors. Both save money, but one comes with an upfront cost that must be planned for and must be paid for.

To date, roads maintenance, grass cutting, gully emptying and street lighting repairs were sensibly undertaken by a mixture of internal and external staff. I deliberately retained a mixed economy, but June monitoring called time on that option. We need to remember that the savings asked of Ministers and Departments could and should have been spread over the four-year period to provide more money for the likes of health.

For the person at home, June monitoring felt like being told halfway through your usual monthly spend that you had to give part of your salary back and just do your best with the bills. It is not a sensible way to operate. It would understandably provoke anger, knowing that you could have coped better had you been told at the beginning of the month, but it makes you even angrier when you know that it could have been spread over a much longer period. The way that DFP and the Executive handled June monitoring is making cuts deeper than they need to be. It made cuts take place in areas that might have been better protected had we been given proper notice.

The second problem is more specifically related to my Department, often referred to as the valve Department or, as I refer to it sometimes, the mop Department. I call it the mop because we are often asked to clean up other Departments' messes. When they fail to spend and money is returned, the Department of Finance calls on DRD. The absence of opportunity to bid for returned funding is a huge problem for my Department, which has been deliberately underfunded by the centre to provide the rest of the Executive with cover and to prevent money being returned to Westminster. With funding certainty, better value for money could be achieved; for example, by allowing more resurfacing work to be done in the summer months.

A fundamental realignment of Executive budgets is therefore necessary. However, that can be achieved only through a mature debate that considers the relative priorities of all Departments. That has still not taken place, and, for me, that is unacceptable.

Having commenced the year with a significant shortfall in funding, I submitted bids of £48·4 million resource and £130·3 million capital in June. Those are additional sums that could and, in my view, should have been spent on regional development this year. With only £5 million resource being allocated for concessionary fares and £26·3 million for a range of capital projects, huge pressures still remain.

Importantly, capital allocations cannot be used for resource purposes. I have to continue to stress that, because there seems to be either an ignorance or an unwillingness to face that fact. Capital allocations cannot be used for resource purposes and will not allow me to reinstate roads and street lighting maintenance activities. Those are resource accounting and budgeting restrictions that all Ministers have to operate under. I am simply

unable to use capital funding to meet the running costs of repairing potholes and street lighting. Of course, that is of little comfort to the public, who may understandably ask how capital projects can continue but the running costs of maintaining our infrastructure cannot.

Unlike others, I have sought to manage my budget. To meet the 2·1% running costs reduction applied at June monitoring and in preparation for a 2·3% reduction at October monitoring, I conducted a robust forensic analysis. At the start of the year my Department's running cost baseline was deliberately underfunded by the Executive at just over £344 million. Expenditure in 2013-14 was £381 million, making DRD again reliant on monitoring. Over the last three years I have been working to deliver savings, not least with Northern Ireland Water.

By the end of the Budget 2011-15 period, NIW will have delivered over £35 million of public expenditure savings.

Let me say that I also make no apology for my strong support of the concessionary fares scheme. This year, the scheme cost £9 million more than its central allocation. It is more expensive because it is so popular. I have to say that the concessionary fares should never have been forced to be the subject of monitoring bids; they should be fully funded by the Executive. They should not be politicised by some simply to put pressure on an Ulster Unionist Minister. Our older citizens deserve better than that.

Mr Dallat: Will the Member give way?

Mr Kennedy: No. I have to make progress.

Rail services in the UK and the Republic of Ireland would not be possible without a running costs subsidy from government. Locally, the subsidy has been gradually reducing with passenger growth. I have further reduced it by £1 million. In the light of the baseline reductions that I have faced, I have further reduced the fuel duty rebate to Translink by £1·3 million. Those reductions in funding mean that, this year, the company is required to work to an increased deficit of over £9 million funded from its reserves.

I have to say that there has been much interest in and quite a lot of ignorance of the reserves held by Translink. Translink is no different from any private company: it must maintain a level of cash in order to meet its working requirements. Translink is not some piggy bank to shake when we are short. I have stretched Translink. There is not a cosy relationship between the Department and Translink, but its accounts must reflect a going concern over any three-year period. I again make no apology for protecting over £9 million of grant funding for rural transport, transport for the disabled and the Rathlin ferry.

I have looked carefully at my Department's admin budget, the majority of which relates to staff salaries. Reductions in permanent staff numbers cannot be achieved quickly or without significant investment by the Executive in a Northern Ireland Civil Service-wide scheme, but I have made reductions of £2·5 million in admin funding. I have done that through a range of measures including robust vacancy management, a reduction in temporary workers and applying downward pressure to overtime. I have also identified further measures to release £3·1 million, including funding that was previously held for Translink and public transport authority funding.

The steps that I have outlined have provided almost £8 million of funding towards the baseline reductions. No area of my Department has been beyond scrutiny. I have looked carefully at the running costs that are necessary to manage, maintain and develop our road network. Of the £125 million of funding available to me to meet annual running costs, over £100 million is contractually or otherwise committed. It cannot therefore be cut in-year. That includes £40 million to meet public-private partnership (PPP) contractual commitments; almost £12 million for energy costs for street lighting and traffic signals; £10 million for parking enforcement, charged car parking services and Strangford ferry services; £5 million for the maintenance of traffic signals; £19·2 million for the management and maintenance of road drainage infrastructure; £4·5 million to meet public liability obligations; £1 million for the new street lighting carbon reduction commitment; over £4 million for fuel and fleet maintenance; £2 million for essential tools and supplies; and over £2 million to meet unavoidable charges from other public bodies. Limited options remain available to me to realise a further £7 million of budget reductions. Do not tell me that I have not looked forensically at the issues. I have protected street lighting inspection, testing and emergency repairs, winter services to ensure roads are gritted this winter and operations —

Mr Clarke: Will the Member give way?

Mr Kennedy: No. I have to make progress. It is time to listen.

I have protected operations and maintenance supplies. *[Interruption.]* No option remained —

Mr Clarke: There is £33 million left in Translink.

Mr Principal Deputy Speaker: Order.

Mr Kennedy: No option remained other than to put our external contractors on pause for general road maintenance and the repair of street lights that fail unless they pose an electrical hazard to the public. In taking those measures to manage a 4·4% reduction, I have sought to minimise the risks to public safety and the economy. None of the decisions that I have had to take has been of my own making or desire. None of the decisions has been taken lightly or without the forensic examination of all the options.

12.15 pm

I listened carefully to the presentations made by the 10 Members who spoke. Mr Dallat, who opened the debate, reminded us of what the Romans did for us and of the Emperor Claudius. I am more reminded of Julius Caesar — it is not quite Shakespeare — and "Infamy, infamy, they've all got it in for me" from the Carry On film.

These decisions have not been taken lightly. They are important decisions, and I realise the impact they have on small firms, many of them struggling to get contracts. Options were narrowed down, given the time limit available to me. Mr Clarke thinks that we were going for soft touches. I have explained through this statement the essentials that we had to and sought to protect and where we have to go to find realistic savings. There is also the issue of welfare reform. Two parties in the Chamber today conveniently ignore the impact that that is having, not only on my budget but on Executive budgets generally.

There were other contributions. I thank Mr Beggs for reminding us that the monitoring process and how we conduct our Budget is a matter that needs review and

urgent change. Whilst I can welcome outcomes from monitoring periods, as I have done in the past, I see that there is an underlying and fundamental problem with the way we shape our budgets.

Mr McCarthy talked about the impact in his area. He thanked everybody, except me, because apparently I did not invite him to some photo opportunity, which the Alliance Party so much enjoys. I thank George Robinson for his sympathy, if not his vote. Mr Ó hOisín, again, refused to take on board —

Mr Principal Deputy Speaker: Time is almost up.

Mr Kennedy: — the criticisms of and the impact of welfare reform.

These are the facts that I have had to deal with. This is the real world of DRD.

Mr Byrne: I thank all 10 Members who have partaken in the debate, and I thank the Minister for being here. I ask this question: why is the Minister opposed to the motion, given that we are trying to be helpful to him and the Department? Maybe there are certain intricacies in there that are more difficult to understand than is apparent.

We brought the motion to the House because, with the onset of the winter that may lie ahead, there is serious concern among the public about what might happen to the condition of roads. People are concerned about whether there will be gritting or lack of maintenance of the roads and, as a result, increased road deaths. As the winter months approach, we face the life-threatening neglect of our road infrastructure. The underfunding of structural maintenance will have severe consequences for the sustainability and safety of our roads, with knock-on effects on our economic competitiveness. It is an essential area that simply cannot afford to be insufficiently funded in the way that it has been.

Many Members who spoke referred to the fact that roads maintenance has largely been funded from monitoring rounds for the last three or four years. It is welcome that some attempt has been made to tackle the backlog in road maintenance, but, unfortunately, that has been done via the monitoring round process. That raises this question: why do we continue with the monitoring round process and the funding of budgets like the DRD budget for roads in such a way? There has to be a fundamental review of that. That is the reason why this party has, for so long, advocated a year-by-year Budget assessment re-evaluation, to make sure that there is more effective public expenditure on the issues that matter to people.

Mr Dallat: I thank the Member for giving way. Does he agree that the core element of the motion is that the stop-start way of financing the Department is wrong?

Our Minister Danny Kennedy, who normally displays a high level of intelligence, has completely missed the point of the motion. Instead of opposing it, he should be enthusiastically endorsing it.

Mr Principal Deputy Speaker: Interventions should be short, as you know.

Mr Dallat: When in this Assembly do you get opposition parties applauding a Minister from another party, and he rejects it?

Mr Byrne: I thank the Member for his statement. It reinforces what I said earlier about the confusion that I also have about the Minister and his party's position on this issue. However, as I said, maybe not everything is fully apparent to us. It is obvious, however, that the budgetary process is at the heart of the problem. Look, the reality is this: people drive cars. When they buy a car, they pay car tax, VAT and excise duties. Our motorists paid £927 million in fuel duty between 2011 and 2012, providing 18% — that is, £76 — more revenue per person annually than the UK average. That is what we have for a very rural environment. Motorists have, quite simply, been ripped off. The average car tax is £250 per annum. The average road tax for a 40-foot lorry is £1,200 per annum. So, the question is this: why is the road user who is paying tax being so handicapped in relation to the quality and condition of the roads?

Mr Beggs: Will the Member give way?

Mr Byrne: Yes, indeed.

Mr Beggs: Will the Member acknowledge that that fund does not go to the Department for Regional Development, and it is, in fact, the Department of Finance and Personnel that determines the budget that is given to the Minister to spend?

Mr Byrne: I do recognise that, however — *[Laughter.]* The point, Mr Beggs, is this: it is reinforcing the budgetary process and the allocation of moneys. As a public representative in a rural area of West Tyrone, where people greatly rely on road transport because we do not have one mile of railway, I know that people feel very angry that they are paying all that duty and taxation relating to their car, lorry or van, but they are getting very little in return.

We also feel that there is such a lack of balance in the Department for Regional Development's expenditure on roads. We feel very annoyed about that. We feel that the A5 road has been sacrificed. However, the A8 was a priority, and there was no problem about EU directives. These are the real issues that affect people.

Road deaths are an apparent and real issue for many people. Mr McCarthy referred to the fact that there was a road death involving a Bangor man over the weekend, and Mr Ó hOisín referred to an M2 accident yesterday. Let us be clear: before the last general election, I had more representation from people about potholes and damage to cars and wheels than on any other issue. Thankfully, the potholes have largely been solved over the past three or four years with the monitoring round moneys, and I commend the Minister for prioritising that road maintenance work that has been done.

Mr Clarke: Will the Member give way?

Mr Byrne: Yes, indeed.

Mr Clarke: I am listening closely to the Member. Whilst we support the motion, it is more about the forensic analysis of the Minister's budget and how some of us see it as an easy touch. The Minister will defend that. I accept the point about safety, and I think that is why I can support the motion. However, when you are addressing the rest of your comments, Mr Byrne, will you tell the House how your party can prop up Sinn Féin on welfare reform and what weight you are adding to that in respect of safety, potholes and all the other issues that are raised in all our constituency offices? It is your party that is helping to

prop up Sinn Féin to prevent welfare reform coming to the House.

Mr Byrne: I thank Mr Clarke for his comments, but all I can say to him is that we are propping up nobody. We are standing up for the public at large. I do not want the welfare issue to be flogged to death. For the past three or four weeks, it has been flogged to death, and it is not the real issue. The real issue is the overall budgetary process, the budgetary allocations and the budget going forward, which begs the question about this regional economy: do we want to have an economically viable, sustainable economy into the future? Those are the real issues that we will have to start examining going forward. The reality is that there will be cuts in the Budget from the Treasury. We have heard that. Until we make this region more economically sustainable, these are the sorts of problems we are going to face.

It is a fact that road safety issues and road fatalities are intertwined with the economic competitiveness and efficiency of this region. If we go back to a situation where we add to an £800 million roads maintenance backlog, it will be a disaster for the future. I accept that Mr Kennedy has said that he has analysed critically his Department's spending. He says that the cuts that he had signalled in July were inevitable and that they were the soft-touch cuts that were more amenable to immediate decision-making.

Mr Kennedy: I did not say that.

Mr Byrne: The Minister said, or at least I understood him to say, that the process he was —

Mr Kennedy: Will the Member give way? This is important.

Mr Byrne: Yes.

Mr Kennedy: At no stage did I regard these as soft-touch cuts; they are not. They are the inevitable consequence of the financial position that I have been placed in as a result, not only of June monitoring but of the overall economic situation, including the issue of welfare reform.

Mr Byrne: I accept the sentiments of what you were saying, Minister, but the reality is that you said that there were some things that you could cut because of the long-term financial implications involved. You said that DFP landed you with this difficulty in June and that there was no time to properly examine or scrutinise the situation. That was the same for all Departments. I recognise that and sympathise with the Minister in that regard but it goes back to the budgetary process.

Many Members took part in the debate, and there were some common themes, including the welfare issue being kicked around once again. There is genuine concern among all Members about street lighting, footpaths, grass cutting, the repair of roads and smaller capital schemes that are crucial for the overall state and condition of our infrastructure.

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

Mr Byrne: I would like more time to go through all the issues that different Members have raised, but there were a number of common themes. There is a genuine concern among all Members about roads maintenance going forward. We will have to examine how it can be addressed in a better way to make sure that our road users, who are paying a lot of taxes, are not ripped off any more.

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

Question put and agreed to.

Resolved:

> *That this Assembly notes with concern the failure of the Department for Regional Development to adequately fund the roads infrastructure maintenance budget; further notes that this lack of funding will result in job losses or reduced working hours for contractors and suppliers; calls on the Minister for Regional Development to assess forensically his departmental budgets to highlight areas of non-essential spending where savings can be made; and further calls on the Minister for Regional Development to work with his Executive colleagues to institute a comprehensive annual budget process that provides a more transparent breakdown of the allocation of resources.*

Mr Allister: On a point of order. I wish to refer the House back to the incident during the Ministers' statement on the North/South Ministerial Council. I ask that the House might examine why I was gagged and why it was that one Member was allowed to pass way outside what was in the statement to ask questions about dumping, but when it came to this Member asking about something that was allegedly outside the ambit of the statement, I was immediately gagged at the behest, I have to say sadly, of the Clerk at Table. Why did that Clerk not equally give advice in relation to the other Member?

Mr Principal Deputy Speaker: Order. I reject that as a point of order. I happened to be in the Chamber at that time and what I quite clearly witnessed was that the Deputy Speaker pointed out that you had digressed from the debate and the subject matter in hand and he asked you to resume your seat, which you defied. That is something that I intend to revisit after this sitting.

Mr Allister: Further to that point of order, can you explain why the other Member, who equally digressed, was not called to order and why only this Member was called to order? That is the point.

Mr Principal Deputy Speaker: I will review those parts of the debate that I was not personally witness to, and that includes the subject matter that you have just discussed. However, I have pointed out to you something that I know you, perhaps more than many other Members, are very acutely aware of, which is that you cannot defy the Speaker when the Speaker asks you to resume your seat.

That is a very serious issue. I think that it is a bit rich that you think that you can raise points of order about earlier issues. I am taking exception to it. Let me warn you that I intend to study that very carefully.

Mr Spratt: Further to that point of order, I ask you to examine the comments made by the Member who has just spoken on the integrity of a Clerk of the Assembly in giving advice to the Speaker. That, in my view, is totally out of order. Will you examine that? It has been commented on before. Will you look at whether it is in order for the Member to make such comments?

Mr Principal Deputy Speaker: I reiterate: I will examine the record. I am not accepting that the Member raised a valid point of order. I think that, in the presentation of it, he may well have raised other issues that should be considered.

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, when the first item of business will be Question Time.

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

Education

Mr Deputy Speaker: We will start with listed questions. Questions 6 and 8 have been withdrawn.

Schools: Maintenance Backlog

1. **Mr Givan** asked the Minister of Education to outline the measures being taken to address the maintenance backlog in the schools estate. *(AQO 6765/11-15)*

Mr O'Dowd (The Minister of Education): As Minister of Education, I have continually highlighted the need for significant investment in our schools estate to tackle the high backlog in maintenance. I am acutely aware of the importance of ensuring that the schools estate is appropriately maintained to prevent unacceptable deterioration of the buildings and to ensure that our young people and teachers have a learning environment that is fit for purpose and safe for use. Due to budget pressures, the maintenance budget has been reduced this year. However, I have ring-fenced some capital budget for facilities improvement schemes that should assist in improving the condition of the schools estate. The initial maintenance budget allocation for this year was £17 million. In June monitoring, I allocated an additional £5 million. Furthermore, £15 million of capital has been earmarked for facilities improvement projects. Over the last three years, a total of £134 million has been spent on school maintenance.

Mr Givan: I am sure that the Minister will be aware of the many millions of pounds that need to be spent on the planned maintenance backlog. Can he assure the House that concerns about the health and safety of the young people in these buildings will be a priority and that the estate will not deteriorate to such an extent that their health and safety is put in jeopardy?

Mr O'Dowd: I thank the Member for the supplementary. Yes, there is prioritisation in the maintenance programme. The money for the maintenance backlog is to make good the work necessary to bring school buildings back to their condition when built. The maintenance backlog includes any urgent work to address health and safety issues and avoid the serious deterioration of the fabric or services to the building. I add the caveat that many of our schools are of a significant age, and I can assure you that we improve those buildings rather than restoring them to their original state.

Over this last number of years, we have invested significant amounts. The maintenance backlog figure comprises the elements that deem conditions to be category 1, which is very poor, or category 2, which is poor. Health and safety is paramount in these matters, and we have made significant improvements to many schools across the schools estate through the school maintenance programme. I will continue to make money available to that and to make bids to the monitoring rounds for maintenance

budgets. In fairness to the Executive, we have been quite successful with those over this last number of years.

Mr Rogers: I thank the Minister for his answers thus far. Minister, given the strong emphasis on factors such as floor area and pupil numbers in determining eligibility for minor works, how do you ensure that small schools get the right allocation of the minor works budget?

Mr O'Dowd: The minor works budget is different from the maintenance budget, which is for maintaining the character of a school and tackling health and safety issues. Minor works are about significantly improving the facilities in a school, which may include the addition of classrooms or office or toilet space. Any project costed below £500,000 comes under minor works. There is a formula, and I do not accept that small schools are discriminated against by that. Over this last number of years, we have invested significant amounts in our minor works programme as well as our maintenance works programme.

Mr Swann: The Minister referred to the deterioration of the schools estate and buildings. Nothing deteriorates quicker than an empty building, and the Minister is well aware that Ballee Community High School in my constituency is now empty, and 30 mobile classrooms are being used in surrounding schools. Has the Minister any intention to put Ballee to use as a proper part of the estate?

Mr O'Dowd: Ballee school is the responsibility of the relevant board, which is the North Eastern Education and Library Board. It is up to the board to decide what future uses the school should be put to. I understand that, when it gets to that stage, the first call will be to other education providers to see whether there is an educational use for the school. If not, the call will go out to other Departments, and the process will follow from there. It is a matter for the North Eastern Education and Library Board.

Literacy and Numeracy

2. **Mr Attwood** asked the Minister of Education to outline his plans to address the problems with literacy and numeracy in primary-school pupils. *(AQO 6766/11-15)*

Mr O'Dowd: The results of the progress in international reading literacy study (PIRLS) and trends in international mathematics and science study (TIMSS), which were published in December 2012, showed that a high proportion of our P6 pupils were performing at the highest levels of proficiency in reading and mathematics. It is clear from those international studies and our own inspection evidence that the characteristics of a good school are being embedded in our system. The policies that we have been implementing in recent years are working, and our young people are reaping the benefits.

Count, Read: Succeed, the literacy and numeracy strategy, makes it clear that teachers and school leaders are best placed to identify pupils requiring additional support and the most appropriate action to meet pupils' needs. However, we know that many children face barriers to fulfilling their potential, and more needs to be done to ensure that every pupil leaves primary school with adequate literacy and numeracy skills. The Learning to Learn framework recognises the importance of delivering high-quality education services for children before and in the first years of compulsory education. Funding has been allocated to specific programmes to further improve outcomes in literacy and numeracy, particularly focusing on disadvantaged pupils. I also focused on the important role that parents and local communities can play in addressing educational underachievement. The Education Works campaign, the community education initiatives programme and the extended-schools programme are all aimed at delivering positive educational outcomes.

Mr Attwood: I thank the Minister for his information so far. Given the welcome moneys that you announced last week in respect of barriers to early learning, could you confirm what discussions you have had with the Health Minister in relation to ensuring that, once a language acquisition problem has been identified, there are sufficient therapists in schools to respond to those in need?

Mr O'Dowd: I have had no discussions to date with the current Health Minister, but I did have regular discussions with the previous Health Minister, Minister Poots, about a wide range of programmes, including programmes that his Department is involved in through Delivering Social Change and regular programmes of the Health Department. I can assure the Member that my officials and the Health Department officials meet on a regular basis to discuss such initiatives and how we can support each other in ensuring the well-being of the young people we serve.

Mr Newton: Where there are problems with numeracy and literacy and a school is therefore deemed not to meet the standard and goes into intervention, what is the minimum level of support that a principal might expect from the education and library board or the Department of Education?

Mr O'Dowd: The first responsibility for ensuring numeracy and literacy levels at a school rests with the principal and the board of governors of that school. They are the first anchor in ensuring that education is being provided appropriately to the young people in that school. Schools will enter formal intervention for different reasons, and, when that happens, different aspects of the coursework or curriculum being delivered in the school are called into question. It will depend on which elements of the curriculum are being called into question and where the weaknesses are in the school, whether that be in classroom teaching or leadership in the school. So, in short, the support will be delivered on the basis of the needs of the school. There is no one-size-fits-all approach in these circumstances. It is about the support that the school requires, but the first responsibility lies with the principal and the board of governors to deliver the education in the school.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. Could the Minister give us an update on the Delivering Social Change programme, which is aimed at improving levels of literacy and numeracy in our schools?

Mr O'Dowd: The Delivering Social Change programme has proven very popular and, in my opinion, very effective in delivering change in our education system and delivering for the young people it serves. In recruitment, for the entire programme, 266·3 teachers are in post — I am not sure how they work out the 0·3 — out of a total of 269 planned posts. That is 165 in post-primary schools and 100 in primary schools. So, there are a significant

number of additional staff being deployed in schools. They are working to a plan that is agreed between the school and the education and library board. That is being delivered effectively. We hope to carry out an evaluation of that programme in the months ahead. That, of course, will depend on finances being available at that time. At this stage, I am focused on ensuring that services are being delivered in the classroom rather than the evaluation of those services being delivered in the classroom, but it is important to evaluate it at some stage in the near future.

Initial reports are very positive in that it has had a significant impact on our young people. The scheme is very popular with schools.

Mr Nesbitt: I thank the Minister for his answers to date. During those answers he talked about the importance of the role of parents. Does he accept that grandparents may also have an influence both on parents and pupils? If so, what programmes are in place to tap into that valuable resource?

Mr O'Dowd: In the most recent Education Works campaign, we focused on the role of the broader family — not just the immediate parents or guardians — whether that is siblings, aunts and uncles or, indeed, grandparents of those children, because they are a valuable resource for any family and a valuable resource in the community. We encourage the family unit, including grandparents, to become involved in a child's education, not a specific individual within the family unit.

Male Teachers

3. **Mr Anderson** asked the Minister of Education for his assessment of the proportion of male teachers in primary schools. *(AQO 6767/11-15)*

Mr O'Dowd: The proportion of male teachers in primary schools has remained fairly constant at around 15% since 2010. The reasons for the relatively low proportion of male teachers in primary schools are complex and not unique to our system. There is a perception that women are more suited to teaching young children. Societal attitudes and the focus on child protection issues may also discourage males from entering the profession, particularly in the primary sector.

However, I continue to encourage the providers of initial teacher education (ITE) to take steps to address the issue. They are ensuring that males are well represented in publicity materials for courses and are targeting all-male schools, and male groups in mixed schools, for careers talks and presentations. As a result, the proportion of males enrolling in primary ITE courses has increased from 17·4% in 2008-09 to 20·4% in 2012-13.

Mr Anderson: I thank the Minister for that response. Will he outline the extent to which he is working with the Minister for Employment and Learning on a cross-departmental basis to help to address the gender imbalance in our primary schools?

Mr O'Dowd: As you know, we are involved in a joint review of our careers services. Clearly, one of those careers is teaching. We have been working closely with DEL on the programmes to which I have referred, and it is through DEL that initial teacher education is provided. In particular, we have been working closely to ensure that the colleges are going out and speaking to young males in post-primary schools who are at the stage of deciding career pathways. We have seen some success with that, with a 3% rise in the past four years. I would like to see that rise again. However, as I noted in my commentary, there are societal attitudes around this that are required to change, and there is also a role for my Department and the Minister for Employment and Learning. However, we are working together on it.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. Does the Minister agree that there is a need for a high-profile campaign to increase the representation of males in the primary-school workforce?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. I agree that a high-level publicity campaign would prove beneficial. Publicity campaigns cost money, and unfortunately at this stage our advertisement budget across the Executive has been curtailed to allow us to deliver services to the front line. Therefore, I will not be providing such a campaign in the near future, unfortunately.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister outline the benefits that increasing the number of male teachers would bring to the system? With that in mind, what is DE doing to achieve that?

Mr O'Dowd: I think that it is important that our young people in primary schools come into contact with responsible adults of all genders. Look at the learning patterns of young males in particular: if they have a male teacher in the classroom, someone whom they can look up to and someone to aspire to as a responsible male in their life, then that will assist them in their learning journey. Primary-school education is a very rewarding career pathway for anyone. It is vital that we allow and ensure males to feel comfortable in entering primary-school education and that they know that they have a valuable role to play in primary-school education. They must also know that their presence in the classroom can and does motivate young boys to do better in education. I know that many young people have responsible male adults in their lives, but we have to accept that that is not always the case in our society.

2.15 pm

Mrs Dobson: What plans does the Minister have to help our newly trained teachers who are still unemployed to find employment, irrespective of their gender?

Mr O'Dowd: The primary objective of the Delivering Social Change programme, which I mentioned in response to Mr Sheehan earlier, was to improve numeracy and literacy and educational outcomes for our young people in schools, but it was also to allow newly qualified teachers to have real-time teaching experience in schools. That project has been successful.

Our education budget continues to face significant pressures. We have seen a reduction in teaching staff over the past four years in our schools estate, and, as education budgets continue to face pressures, I suspect that we will continue to see a reduction of the teaching workforce in our schools. It is a very difficult time for all teachers, but particularly for newly qualified teachers. I will continue to push the Delivering Social Change programme forward, and I will continue to push the education budget at the Executive table, but, at this moment in time, our budgets

remain very constrained, and I do not expect an increase in employment in education any time soon.

School Starting Age

4. **Mr A Maginness** asked the Minister of Education when he will introduce some flexibility in the school starting age. *(AQO 6768/11-15)*

Mr O'Dowd: The foundation stage curriculum is designed to allow teachers the freedom to ensure that very young children should be allowed to learn at their own pace, reflective of their individual needs. For certain children in specific circumstances, there may be reasons why a child may be considered not ready to start school. It is for that reason that, following meetings with the Association of Teachers and Lecturers (ATL) and associates, I agreed to look at options for introducing a degree of flexibility in certain circumstances around the compulsory school starting age here.

There is no flexibility in current legislation that would allow parents to defer their child's entry to year one, and the introduction of any form of flexibility would require a change to primary legislation. Officials are now working to finalise the detailed arrangements that arise as a consequence of making such a change. I have instructed my officials to complete this work as quickly as possible. I expect a consultation to be launched this autumn, and I have asked that these changes be in place by September 2016. This is a tight and challenging timetable and is subject to Assembly approval of the necessary legislation.

Mr A Maginness: I thank the Minister for that answer. I think that many parents will be reassured that the Minister and the Department are on track to introduce legislation that will help to create flexibility. A further issue that I wish to raise with the Minister is that some children who attend school and who are young for their years, as it were, underachieve. Has the Department done any work on that particular problem?

Mr O'Dowd: Again, I return to the comments that I made in response to the original question: the foundation stage curriculum is designed to allow teachers the freedom to ensure that very young children should be allowed to learn at their own pace. It is about individual teaching for the individual child in the early stages of their educational development. I have accepted that there are some children who, for whatever reason, are not ready to start primary school at the required legislative age as set out currently, and that is why I propose to make changes to legislation, although it will ultimately be up to the Assembly to approve.

Our primary-school curriculum is designed to allow teachers to teach to the individual pupil rather than setting out a pathway that instructs them to teach a class at the same level, at the same time and at the same progress. We allow the professional judgement of our teachers to fit the curriculum to the child rather than the other way around in order to help those children in school who, for whatever reason, find the curriculum challenging.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. What measures can be or are being taken to ensure that the proposed changes will not have any unintended negative consequences for schools?

Mr O'Dowd: That is one of the reasons that the work has taken slightly longer than I first expected. When you start to change the school starting age for some children, it may have an impact on preschool and primary school provision. The question also has to be asked about whether it will have an impact on the leaving age for post-primary schools and so on. My officials have spent considerable time going through the relevant legislation and policy documents to ensure that, when we go out to consultation, as many of those questions as possible will have been answered and that we give the public and Members a full picture. As I said, it will then be up to the Assembly whether it agrees with the legislative proposals.

Miss M McIlveen: I welcome the Minister's comments about flexibility. That has been raised with me in my role as an MLA. Will he expand on whether any criteria will be set against that? There is flexibility and there is flexibility.

Mr O'Dowd: I am not proposing an open book, whereby parents can state that they do not believe that their child is ready to start school and therefore will not start until the next year. I am interested in some examples in councils in and around the Scottish borders and in some English councils, where they have brought in criteria that allow children to start school a year later. However, that decision is assessed against criteria.

I have not finalised the criteria that I will put out to consultation. They will be example criteria, and, if others have ideas, I am more than willing to listen to them. It is important that we get the legislation right and get agreement on it through the Assembly. There are examples out there. I will propose a number of those examples in the consultation, and, if others have any other ideas, I am open to listening to them.

School Transport

5. **Mr G Robinson** asked the Minister of Education to outline what assistance he can provide to prospective pupils wishing to travel from Coleraine to Limavady schools, including the provision of suitable bus transport. *(AQO 6769/11-15)*

Mr O'Dowd: The current rules governing the home-to-school transport policy are laid down in departmental circular 1996/41, as amended, which is available on the DE website in the section dealing with transport. The policy requires education and library boards to make such arrangements as they consider necessary to facilitate the attendance of pupils at grant-aided schools. Eligibility is determined by two qualifying criteria: distance and suitable school.

Under the policy, transport assistance will be provided only to pupils who have formally sought and been unable to gain a place in all suitable schools within the relevant eligibility distance of their home. That is two miles for primary age pupils and three miles for post-primary pupils. There are six categories of schools within the definition of "suitable school": controlled and other voluntary schools; Catholic maintained schools; integrated schools; Irish-medium schools; denominational grammar schools; and non-denominational grammar schools. If a pupil is eligible, the ELB will decide the most appropriate form of assistance to provide. That may take the form of a seat on a Translink bus, an ELB bus or a private operator bus, a private operator taxi or a monetary allowance.

As Coleraine to Limavady is a main arterial route, the most appropriate form of transport assistance is likely to

be a Translink sessional ticket — a bus pass — although each case is considered individually. The ELB response will be dependent on the number and distribution of pupils travelling to a particular school and will take account of the possible interactions that exist with public bus services.

Mr G Robinson: I hear what the Minister has said. Does he agree that the choice of school can be an important influence and factor in a child's educational attainment?

Mr O'Dowd: Sorry, I missed some of that, Mr Robinson. Would it be possible for you to repeat the question?

Mr G Robinson: Does the Minister agree that the choice of school can be an important influence and factor in a child's educational attainment?

Mr O'Dowd: It depends on the reasons for choice. We have several different sectors out there. The main concern for me, as Minister of Education, is that, regardless of which school or sector a parent or pupil chooses, it should provide a high-quality education and look after the educational well-being of pupils.

Ms Sugden: Further to the Minister's decision to amalgamate Coleraine High School and Coleraine Academical Institution, does he have any plans to work with the Department for Regional Development to provide suitable bus provision and infrastructure for the proposed new school?

Mr O'Dowd: I am not aware of all the transport issues surrounding the case that you referred to. However, first and foremost, I would encourage the schools or the interim board of governors to engage with Translink and other service providers in the area to see what transport facilities are in place and to engage with the education and library board to discuss transport facilities in the area, eligibility etc.

Mr Kinahan: I thank the Minister for his answers so far. When it comes to transport charges in the future, will he promise that he will not place some form of transport charge on children travelling to voluntary schools in Belfast?

Mr O'Dowd: I assume that the Member is referring to one of the issues raised as part of the transport review that I commissioned. I have received a copy of the report, and I am studying the part that relates to transport provision going into the future. I am not in a position to respond to any of the recommendations in that report at this stage, although they cover the issue of charging all pupils. It does not specifically refer to one sector or area. All those matters will be dealt with fully when I publish the report and make a statement to the House in due course.

Rossmar School, Limavady

7. **Mr Ó hOisín** asked the Minister of Education for an update on the redevelopment of Rossmar School, Limavady. *(AQO 6771/11-15)*

Mr O'Dowd: Following approval of the Rossmar economic appraisal in October 2013 by my Department, a professional team was appointed to progress the design of the new 100-pupil school building. The Western Education and Library Board is discussing the level of accommodation to be provided, and an addendum to the economic appraisal will be submitted to my Department for consideration by mid-October 2014. It is anticipated that the new build will begin on site towards the end of August 2015, with completion by March 2017.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. I am aware that the accommodation requirement has gone to the Department, but will the Minister acknowledge that Rossmar School and other schools in the area for which construction projects have been announced wait with anticipation, as does the construction industry locally?

Mr O'Dowd: Yes. It is quite a journey from the announcement of a new build to the start of construction. Each site and school throws up its own complexities. With Rossmar, while there were some hiccups at the start, we are making good progress and are working towards a start date of August 2015. So, all the major hurdles have been crossed.

I am also aware of the interest of the construction industry in my school-building programme. For different reasons, they want to see sites opened up to ensure that construction workers are on site, that jobs are there and that finances are going into the economy. While that is not the primary responsibility of my Department in this case — my primary responsibility is to provide new facilities for schools — I welcome the fact that investment by my Department assists the construction industry and the wider economy.

Mr Campbell: The Minister has been down at Rossmar School. I welcome the fact that by this time next year we should be well on our way to a new school being finished there. Has account been taken in the preparation of the capital programme required there of any likely change in the first year or two in the number applying to be accommodated in the school?

Mr O'Dowd: In the preparation for a new school build, projected entry numbers are taken into consideration as best they can be. They will form part of the deliberations of the Western Education and Library Board and of my Department before final approval is given for the size of the school. If the Member has any specific information that he believes would be valuable in our deliberations, sharing that with my Department or the Western Education and Library Board would prove beneficial.

School Bus Safety

8. **Mrs Cameron** asked the Minister of Education, following the accident involving a school bus in Castlederg, what action has he taken to improve safety whilst travelling on school buses, including the wearing of seatbelts. *(AQO 6772/11-15)*

Mr O'Dowd: First, I am sure you will agree with me how relieved we all are that no pupils were seriously injured or killed in last week's bus collision. That was largely due to the fact that a high proportion of the children were, thankfully, wearing seat belts. As I confirmed at last week's safe transport awareness conference in Stormont, I view safety as the main priority in the provision of home-to-school transport policy.

Existing safety standards are already of a high level, following the implementation, since 2007, of a number of key safety measures by my Department, the education and library boards and Translink. They include not seating three children to two adult seats; no standing on school-designated services except in exceptional circumstances;

and all designated school services to be fully seat-belted. Board vehicles and board-contracted private hire vehicles have been compliant for a number of years with all those measures, as pupil numbers are matched to vehicle capacities. Schools are also regularly reminded by ELBs and DE of the importance of the use of seat belts. The latest letter issued in January this year, and a further letter is being prepared by my officials.

2.30 pm

Mr Deputy Speaker: That ends the period for listed questions. We move to topical questions. Topical question 8 has been withdrawn.

Education Budget: Block Grant Reductions

1. **Ms Boyle** asked the Minister of Education to detail the cuts imposed on his budget over the past four years as a result of British Government reductions to the block grant. *(AQT 1561/11-15)*

Mr O'Dowd: In the settlement of the Executive Budget for the period 2011-15, the resource budget was cut by £125 million, as compared with 2011. That translates into a £255 million cut or 13·6% in real terms. Late in 2011, around November, I met the First Minister, the deputy First Minister and the then Finance Minister and outlined to them the impact that losing £255 million would have on resources in education. They agreed that we could not travel forward on that trajectory, and I secured a further £120 million for the education budget. However, as I have said in answer to several questions, we still face significant budgetary pressures in education. They are curtailing the services that we deliver, and they are stopping services expanding, including the employment of vital front line staff in our classrooms.

Ms Boyle: I thank the Minister for his response. Will he confirm whether those cuts predate any potential fines linked to the Tory-led coalition's plans to cut welfare spending? Go raibh maith agat.

Mr O'Dowd: The current resource budget for 2011-15 was set on the basis of a block grant from the Treasury of approximately £10 billion and distributed among Departments. When that was done, the current Welfare Reform Bill was not dreamt of or heard of. Although welfare reform was being brought through the Assembly under the auspices of the then Labour Government and the then Social Development Minister, the current Welfare Reform Bill was unheard of. The cuts to services and the job losses in education have everything to do with the coalition Government's economic policy, and the continued implementation of that policy will have a detrimental impact on all our public services.

Capital Build Projects: Dungannon

2. **Ms McGahan** asked the Minister of Education for an update on the capital build projects for St Patrick's Academy, Dungannon and Edendork Primary School. *(AQT 1562/11-15)*

Mr O'Dowd: The project for St Patrick's Academy is progressing well, with a notice in the 'Official Journal of the European Union' for construction tenders, published in September 2014. It is hoped that, in this case, construction will commence on site in 2015. My officials are actively engaged in taking forward the Edendork Primary School project. To date, a site search has been completed by Land and Property Services, and suitable sites have been identified for the location of the new school. The next stage will be the preparation of a technical feasibility study to address the suitability of those sites, and that information will be utilised to inform the economic appraisal.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Will he detail the wider benefits of those capital build projects to the local construction industry and the community in terms of social clauses?

Mr O'Dowd: As I said in answer to a previous question, while my primary responsibility is to provide new facilities for schools, I am acutely aware that the significant investment that I have made over this last number of years is having a beneficial impact on the construction industry and, therefore, the economy. The UK Contractors Group estimates that, for every pound that I invest in new builds as a Minister, there is a positive impact on the economy of £2·84. Every pound that I generate creates another £2·84 towards the economy. I welcome that. In the case of St Patrick's Academy in Dungannon, the estimated cost of £27 million, applying the multipliers, will result in an estimated potential investment to our economy of £77 million. In the case of Edendork Primary School, £4 million, again using these multipliers, will benefit the local economy by somewhere in the region of £11 million. Not only do the schools benefit from this; certainly, the construction industry also benefits, as does our local economy.

ICT: School Reliance

3. **Mr Rogers** asked the Minister of Education for his view of the claim that the relentless march towards a greater reliance on ICT, without adequate support and technical back up, is eroding staff morale in schools. *(AQT 1563/11-15)*

Mr O'Dowd: We have to get the balance right. ICT is a reality. It is becoming an increasing reality in every aspect of our daily life, so it is only right and proper that we use it in our school environment as a learning tool and a subject in its own right. We have support mechanisms in place for our teachers. Some schools decide to invest in packages from their own budget, as they are perfectly entitled to do, and have brought in various devices to assist children to learn. I always caution them that that is OK, as investment in devices is a good thing in many ways, but they also need to invest in a training programme to ensure that they maximise the use of such devices.

Mr Rogers: I thank you for that. Minister, do you not think that smaller rural schools are particularly under added pressure because they have limited hardware and space to put computers but also lack fast broadband?

Mr O'Dowd: The issue of fast broadband is a matter for other Departments. A number of those Departments are involved in programmes that are delivering broadband services to our rural communities. We provide quite a significant package to schools through the C2k programme. Over this last number of years, we are well advanced in the investment that we have made in computer equipment and connectivity for our schools compared with other education Departments across these islands. We have certainly taken into account the needs

of small rural schools moving forward, but the broadband issue is for other Departments.

Schools: Local Provision

4. **Mr Nesbitt** asked the Minister of Education how many primary-school-age children are forced to bypass the campus of their local school to attend school elsewhere because they are unable to secure a place locally. *(AQT 1564/11-15)*

Mr O'Dowd: No, not as I stand here at this exact moment. However, I will provide the Member with as much information as possible.

Mr Nesbitt: I appreciate the Minister's candour. Constituents come to me annually as families to say that this is happening to them in Newtownards and Comber. The child wakes up, can see the local school out of a bedroom window but cannot get a place and has to travel somewhere else. Those parents are greatly frustrated because they believe that your party policy is that children should attend their local school. What can you do for them?

Mr O'Dowd: A number of factors come into play in this issue. They include, first and foremost, the school's enrolment policy and how the local primary school and its board of governors have decided they will operate that enrolment policy. If their top priority is that children in the immediate vicinity of the school should gain entry to it, should a child be looking through the bedroom window and saying that they have not got in to that school? That is a matter for the board of governors. If a school has an entry policy or entry criteria and finds that there is still a significant demand on the school, it can ask for an increase in its yearly intake for one year only. It can come to my Department and present a case that it needs to allow x number of pupils into the school for a stated reason. My Department will deliberate on that, and, where it agrees that the school has presented a valid case, permission will be given for those numbers.

If that is happening regularly, the school should bring forward a development proposal that calls for the school to be expanded by x amount of pupils, which would be decided on in consultation with the school and its managing authority. Such a development proposal would go out to eight weeks' consultation, and it would then come to me for a final decision. If it fits in with area planning, and the school shows that there is a required demand for an increase in places, I will approve the increase. The first port of call should be the school to ask it about its entry criteria.

Single Education Authority

5. **Mr McCartney** asked the Minister of Education to outline the savings that will come from the single education authority contained in the Bill he introduced yesterday. *(AQT 1565/11-15)*

Mr O'Dowd: While the final business case has yet to be submitted to the Department of Finance and Personnel for its inspection and approval, it is estimated that the savings will be similar to those forecast for the education and skills authority (ESA), which were in and around £185 million over its first 10 years.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. We know that the target is 1 April 2015, which is when the new councils will kick in. What would the impact be if the Bill were not introduced and made law by that time?

Mr O'Dowd: The driving force behind the Bill and the single education authority is the looming deadline of the review of public administration and councils, which, as you said, is 1 April 2015. The current legislation sets out that our education and library boards are connected to the councils through legislation. If the councils are no longer in place, they are no longer legal entities as envisaged in the education and library Bills. There is then a serious question mark about the locus of any boards that continue after that.

There is an onus on the Assembly, my Department and Ministers to make a decision about the way forward for education. The new body is not ESA; it is a single education and library authority based on the 1986 Order that modernised the education and library boards. This is the best way forward at this time. Future Education Ministers and Executives may wish to return to ESA and use this legislation as a platform to build on, but the Assembly and the Executive need to make a decision and move forward with the Bill, give certainty to the education structures and our teachers, support staff and education and library board workers on the shape of the body for a considerable period. If in the future someone wishes to return to ESA, so be it.

Looked-after Children

6. **Mr G Robinson** asked the Minister of Education to advise the House of any progress on the policy for looked-after children. *(AQT 1566/11-15)*

Mr O'Dowd: I have instructed my officials to bring forward a policy for looked-after children, which they are working on. I will keep the Education Committee and the House informed about the policy's progress.

Mr G Robinson: The need to improve the educational outcomes of looked-after children is an area of concern. What assistance is being given to teachers to help them to identify and address the sometimes complex needs of those children?

Mr O'Dowd: That is without doubt. One of the driving forces behind my decision to formulate a policy specifically for looked-after children is because of the educational challenges that they face. Educational outcomes for many of our looked-after children are far from what they should be, particularly given that many are in the care of the state, and there is a responsibility on the state to ensure that their educational outcomes are good.

During the recent common funding formula changes, I changed the formula to increase funding for looked-after children going into schools. I think that that has been received positively. My Department, the boards and I are working more closely with the Health Department and social workers to ensure that looked-after children are properly identified and that their needs are put in place in a plan. There was some initial slippage, but communication and discussions between my Department and the Health Department have greatly improved, and progress is being made.

2.45 pm

Early Years: Funding

7. **Mr McMullan** asked the Minister of Education whether his recent announcement of additional funding for early years settings will assist children to overcome barriers to education. *(AQT 1567/11-15)*

Mr O'Dowd: Yes, and this goes back to a number of questions for oral answer on how we improve educational outcomes for young people. We have to start at the earliest stages of a child's development, and I have made available £200,000 for 94 non-statutory preschool settings in 2014-15. That is based on the extended schools principle already in place in primary schools. I think that it will be a welcome addition to the funding for those settings and assist them in delivering extra-curricular and curricular activities for the children whom they look after.

Regional Development

Mr Deputy Speaker: Questions 1 and 2 have been withdrawn.

Cycle Park Network

3. **Mr McMullan** asked the Minister for Regional Development whether he plans to extend the cycle path network into rural towns and villages. *(AQO 6782/11-15)*

Mr Kennedy (The Minister for Regional Development): On 27 August, I published the draft bicycle strategy for Northern Ireland for a 12-week period of public consultation. An ongoing series of public consultation events will end in the middle of November and includes a number of events in rural areas.

My strategy recognises that there are differences between using a bicycle in an urban area and a rural area. It clearly states that we will continue to make provision for the bicycle in rural areas where opportunities arise, especially where there is demand.

Once the bicycle strategy is finalised, a delivery plan will be prepared. This plan will be subject to a rural-proofing exercise to ensure that the needs of rural communities and areas are considered as part of the policy development process. I look forward to the Member's response to the consultation.

Mr McMullan: I thank the Minister for his response. Has his Department engaged with its counterpart in the South to look at cross-border cycling provisions?

Mr Kennedy: I am grateful to the Member for his supplementary. We are looking at areas where we can learn from each other or compare schemes. That level of cooperation, and the potential for it, are there. I have not yet had an opportunity to discuss this at ministerial level with my new counterpart, but I think that there are areas where shared information would be of use. I am hopeful that we can make progress on that.

Mr Swann: Minister, what prospects are there for securing EU funding for cycling projects?

Mr Kennedy: I am grateful to the Member for his supplementary. This relates to my response to the previous question. There is that potential for cross-border projects, such as the Newry to Dundalk project and, in County Armagh, the project along the Ulster Canal. My Department is working with various Departments and district councils to explore the opportunities for EU funding.

It is early days in this process, but I am hopeful that we will be able to secure funding for sustainable transport projects, including walking and cycling projects. Officials continue to work with colleagues in Scotland and the Republic of Ireland to secure funding for cycling infrastructure, including greenways and the Waterside hub in Londonderry.

Mr Campbell: I appreciate the Minister's support for the proposals and the intention behind them, but will he examine, where practicable, the possibility of coordinating cycleways with newly placed 20 mph traffic zones, particularly in urban areas, to minimise traffic accidents and their impact on pedestrians?

Mr Kennedy: I thank the Member for his supplementary question. I think he makes an important point. My ambition is such that I want to see improvement to the overall existing infrastructure. It is not simply a matter of planning with new schemes. I think the existing infrastructure is quite weak in many ways. The cycling lobby — if you like — continues to make representations, which I am very sympathetic to. Of course, those issues are not without cost, and it is important that I feel that I have the political support going forward in securing much-needed finance for schemes of that nature.

Mr Lyttle: The Minister recently announced drawbacks in relation to roads maintenance connected with budgetary reductions. Are they likely to impact on cycle network maintenance also?

Mr Kennedy: I am grateful to the Member. I know that he is a keen cyclist. I think that he has been newly appointed to the Committee for Regional Development, and I look forward to a positive contribution in relation to all those issues. I want to emphasise my desire for a cycling revolution as we go forward. Yes, there are short-term funding issues that we need to be aware of, but on the wider aspects of it and our wider ambitions, we should not lose sight of where we want to go to improve the infrastructure, new and existing, and to encourage more sustainable modes of transport that will enable people to feel safe as they cycle, or, indeed, as they walk through our urban areas, but also our rural areas.

Roads Maintenance

4. **Mr Wilson** asked the Minister for Regional Development to outline the value of contracts for roads maintenance that are dependent on additional resources being allocated to his Department in the October 2014 and February 2015 monitoring rounds. *(AQO 6783/11-15)*

Mr Kennedy: The value of my Department's resource contracts for roads maintenance that are dependent on additional resources being allocated is some £12·5 million. The following activities will be affected: footway and carriageway patching; grass cutting and environmental maintenance; gully emptying; repair of street lighting outages; road marking maintenance and renewal; and traffic sign maintenance and replacement.

When bidding in October, a deduction has to be made for the value of work that could be delivered within the available time. The value of the February 2015 bid will largely be dependent on the outcome of October monitoring making further allowances for what could be delivered by the year's end. Roads maintenance works are undertaken by external contractors and my Department's operations and maintenance staff. Therefore, any additional requirement is a combination of what is required to allow my operations and maintenance staff to operate efficiently plus what is required to pay external contractors.

Mr Wilson: I can understand the importance to the finances of the Executive of having contracts that can soak up money if it becomes available at the last moment, but does the Minister not agree that such core areas of his Department should not be financed on the basis of a hope, on a wing and a prayer that money might become available in monitoring rounds? Why has he organised the financing of those projects in that way, rather than have them as part of his core budget where he can be assured of the money?

Mr Kennedy: I am grateful to the Member for his supplementary question. I am slightly curious in that, in the not-too-recent past, he was Finance Minister and operated the system that I have inherited and have tried to make best use of. The Member was not in the House for the debate on the financial position, particularly the pressures on my resource budget, which took place this morning. We had 10 contributions in all, all of them — with the exception of one, that of Mr Beggs — critical, but no one provided ideas or alternative solutions. Indeed, had he been here, he would have heard my assertion that I do not believe that that is the way to do business with the Budget generally or specifically for regional development and road and transport issues. I think that we would be better to plan at the earlier stage for the amounts that we should and are entitled to receive. That would give us more value for money and more bang for our buck. I am glad that, now that he is out of office, the former Finance Minister recognises that.

Ms Boyle: Go raibh maith agat. What proportion of the cuts is from outside contractors and what proportion is from Roads Service staff? How much money is involved?

Mr Kennedy: I have indicated that the cutbacks for the savings that we have had to make have principally had to be directed against the use of external contractors. Of course, that does not come without impact on those businesses and indeed those employees. These are not decisions that I have taken lightly or that I would want to have made but, at the time, almost halfway through the financial year, these cuts were imposed. Frankly, it is bonkers that any Department should be asked to effect savings of this nature at that point in time. It highlights the fundamental flaw in the way in which budgets are arranged and confirmed, as well as the issues that have compounded that, ie the controversies over welfare reform. All these issues are in play. I found myself having to deal with a situation. The only course of action that was available to me was to cut back the use of external contractors. I will continue to bid in the remaining monitoring rounds, and I will continue to remind Executive colleagues of the impacts that these cutbacks are having.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. How does the Minister ensure that health and safety standards are maintained under the current funding regime?

Mr Kennedy: I am grateful for the supplementary question that the Member has asked. Clearly, I have to be aware of the issue of health and safety. It is the paramount issue with regard to how we continue to protect people in both the work that we do and the way in which it is done. My operations and maintenance staff will endeavour to keep the road network in as safe a condition as possible, but they have only the resources to complete around three quarters of the total routine maintenance workload on roads. Again, in the case of street lighting outages, in-house staff can complete only a much smaller percentage of the overall workload. I consider that to be a serious issue, and I have asked my officials to seek formal legal advice on it.

Bus Station: Banbridge

5. **Mrs Dobson** asked the Minister for Regional Development for an update on the provision of a bus station for Banbridge. *(AQO 6784/11-15)*

Mr Kennedy: I thank the Member for her question. The design process was completed at the end of August 2014. To ensure that some off-street car parking was retained by Transport NI, Translink has been trying to acquire a small corner of land from an adjacent landowner. The negotiations for this piece of land are ongoing. The site is leased to a local well-known retailer but is privately owned. This necessitates Translink having to get agreement from the retailer and the owner. The retailer that leases the site has agreed to the layout supplied by Translink.

The current design plan is based upon the use of most of the car park at Kenlis Street — some 53 of the 74 available spaces. Given that there is some uncertainty about the landowner's intentions, Translink has proactively discussed with Transport NI an alternative option to the potential use of nearly the full car park. It is my intention that work can begin on the project in 2015.

3.00pm

Mrs Dobson: I thank the Minister for his answer and welcome the action that he is taking to progress the project. It is the first time that the people of Banbridge will have a bus station, a facility that has been lacking in the town for far too long. Does the Minister agree that this is an example of the Ulster Unionist Party listening to the real priorities of people in Banbridge and, through this and other projects, holding good to its promise to deliver?

Mr Kennedy: I am grateful to the Member for her supplementary question. I pay tribute to her for her doggedness in pursuing this. It is a very important issue, not only to the people in Banbridge, particularly those who use public transport, but to people in the wider area, given the important network that Banbridge serves in that part of Northern Ireland. The Member is right. I take considerable pride that, having listened to the representations made by Banbridge council and other representatives over the years, including herself, we are at last beginning to see progress. I am determined that we will continue with that. I hope very much that the Ulster Unionist Party will get the credit that it duly deserves.

Mrs D Kelly: I look forward to the cutting of the sod next year. That is really what we are hearing.

Minister, you said that there would be a loss of car parking places. There was hope that there would be an extension of the number of places throughout the North for park-and-ride. Therefore, are any additional facilities planned to offset the spaces that will be lost to Banbridge bus station?

Mr Kennedy: I am grateful to the Member for her encouragement to see the scheme brought successfully to a conclusion. Who knows, she may even get an invite to the sod cutting. *[Laughter.]* We got into trouble earlier with Kieran McCarthy, who objected that the Alliance Party had been overlooked on a previous occasion.

The issue of park-and-ride is an important one Province-wide, not just in the Banbridge or general upper Bann area. We are always looking at opportunities to improve those facilities, because we see the benefit to the travelling public of providing such facilities. If the Member has particular sites that she wants to pass on for us to investigate, I am happy to hear from her.

Mr Anderson: I thank the Minister for those responses. Any of our towns in upper Bann getting a bus station certainly has to be welcomed, and I welcome anything going into Banbridge. However, there are other major towns in upper Bann, Minister. Much lobbying has gone on in the likes of Portadown and, I am sure, Lurgan. Can you tell us what future there is for those towns? I am sure that you and your Department well know the lobbying that has gone on for bus facilities. I just want to say that I and others in my party were at the forefront of lobbying for bus facilities in Banbridge.

Mr Kennedy: I am grateful to the Member for his question. Success has many authors; failure is an orphan. I assure him, and Members from other constituencies, that we are seeking to improve the overall infrastructure for the travelling public by upgrading stations, be they bus or rail stations. We have had some success in that. Members will remember Ballymoney and Antrim as examples of that. So, we continue to roll those forward. Some of it is largely dependent on finance. As I said earlier to his party colleague, we would be very pleased indeed to see you and your party put your money where your mouth is. I remind the Member that talk is cheap, but it takes money to buy whisky.

Flooding: Fermanagh

6. **Mr Flanagan** asked the Minister for Regional Development to outline the preparations in place to deal with the potential flooding of roads in Fermanagh following his decision to reduce the level of gully-emptying in that area. *(AQO 6785/11-15)*

Mr Kennedy: As the Member will be aware, to meet pressures in my Department's resource budget, I had to take difficult decisions to stop issuing new work instructions to external contractors for routine maintenance activities, including gully-emptying. In the Fermanagh area, gully-emptying on urban and main roads was carried out by an external contractor, with operations and maintenance staff providing the service on the minor road network.

Operations and maintenance staff will endeavour to fill the gap left by the unavailability of contractor resources. However, that will mean that service levels will be reduced to around three quarters of normal. All gullies in the area were cleaned as normal before the cuts were imposed, and I am hopeful that the area should remain fairly free of drainage problems in normal circumstances in the short term. My operations and maintenance staff will endeavour to prioritise gully-cleaning and dealing with known flooding area problems. We seek to prioritise those areas to ensure that they are protected as far as we can. If flooding does occur, operations and maintenance staff will be deployed, as resources permit, to deal with any problems that may arise across the county.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. He said that he had to take difficult decisions, but I challenge him and say that he took the easy decision. That was the easy cut to make. It would have been much more progressive for the Minister to say, "We are going to stop giving the redcoats a handout to give people a fine for parking in our town centres" —

Mr Deputy Speaker: Order, please. You are well off the question.

Mr Flanagan: Does the Minister accept that the decision not to carry out gully-cleaning leads to road safety issues, where there is now water lying on the side of our roads, and people travelling on our roads at speed will end up in a hedge on the other side of the road by accident as a result of hitting lying water?

Mr Kennedy: I am grateful to the Member. I respectfully say to him that I am not sure that he is in a position to lecture on economics, given his performance on 'The Stephen Nolan Show' yesterday. *[Laughter.]* He seemed to have a serious issue understanding finances —

Mr Flanagan: You are certainly well away from the answer now.

Mr Kennedy: — and how finance works.

Mr Deputy Speaker: Order, please. I remind everyone that it is my function, and no one else's, to chair the meeting. Continue, Minister.

Mr Kennedy: I will not accept that I took soft-option decisions at the end of July. If the Member had been present for the earlier debate and had any knowledge of or interest in it, he would have heard a full and detailed explanation. Rather than the Member fulfilling his ongoing desire to fill the airwaves and social media with his views, it might pay him to listen a little more.

A8: Belfast to Larne

7. **Mr Beggs** asked the Minister for Regional Development for an update on the estimated completion date for the A8 Belfast to Larne dual carriageway. *(AQO 6786/11-15)*

Mr Kennedy: The £130 million,14-kilometre long A8 dualling scheme is 25 months through its 34-month programme. Construction is progressing very well and is approximately 75% complete. To date, approximately two million cubic metres of earthworks material has been excavated, including over 500,000 cubic metres of rock. The road-paving operation is continuing, with around 180,000 tons of material laid to date. All eight bridges along the route of the scheme are now substantially complete, and three of the eight structures are open to two-way traffic. It is expected that the new A8 dual

carriageway will be open to traffic by the end of May 2015. Landscaping work will continue until December 2015.

Mr Beggs: The investment will improve transport linkages from the port of Larne to the M1, the M2 and throughout Northern Ireland, and even into the Republic of Ireland and the trade that exists between there and Scotland and the north of England in particular. I hope that new jobs will develop in the Larne area. Can the Minister outline what health and safety improvements we will see for road users as a result of the investment, and what will be the effect on journey time to the port of Larne?

Mr Kennedy: I am grateful to the Member for his supplementary question, and I pay tribute to him and the lobbying that he undertook to ensure that the scheme has finally been brought forward. It has been a long time in the making.

Indeed, his father was a very strong advocate and supporter of this particular scheme. I see it as having huge potential, not just for the port of Larne but for the economic regeneration of, and better connectivity to, that area of Northern Ireland. I am sure that that will improve business opportunities and I am very hopeful that we can move forward on that basis and that it will improve the economic lot of the people who live and work there.

Mr Clarke: There are benefits from the A8 and everyone should welcome that. Will the Minister outline the additional cost of bypassing Ballynure? How much would have been saved by keeping it on line?

Mr Kennedy: I am grateful to the Member for his supplementary question. I congratulate him on his recent appointment as Chairperson of the Committee for Regional Development and I pay tribute to the former Chairperson, Mr Spratt.

I have to say, respectfully, that we are past the issue of the Ballynure bypass and the route chosen. Careful consideration was given to all those issues at the time, including through the public inquiry, and I am satisfied and optimistic that, when the scheme that we are bringing forward is completed, people will see and understand the full benefits.

Mr McAleer: Go raibh maith agat. Along with fellow Committee for Regional Development members, I visited that site last week and looked enviously at the wonderful carriageway. Speaking to the contractors, I was intrigued by some of the complicated environmental issues that had to be dealt with, including rerouting a river from its traditional route. Were any particular lessons picked up from that scheme that might be applied to other large-scale schemes such as the A5 scheme and others in future?

Mr Kennedy: Thank you for your question. I will resist the temptation to infer that you may have learned more about traditional routes and about not seeking to change them on a political, rather than a road-building, basis; we will not talk about that. We have been very careful to ensure that environmental issues have been dealt with. I am satisfied that they have been given proper consideration and that, perhaps, even the additional expense incurred as a result of such environmental changes was worthwhile and worth bearing with in terms of the overall benefits to the wider community.

Roads Maintenance

8. **Mr Anderson** asked the Minister for Regional Development for his assessment of the likely impact of cuts to the roads maintenance budget. *(AQO 6787/11-15)*

Mr Kennedy: As you will be aware, following the announcement on June monitoring, my Department's resource budgets that are used for the day-to-day maintenance of the road network have been cut. As a result, I have had no option other than to stop issuing new work instructions to our contractors, who currently undertake around one quarter of our essential work in the following areas: footway and carriageway patching, including potholes, grass cutting and environmental maintenance; gully emptying; road marking maintenance and renewal; and traffic sign maintenance and replacement.

As I said, my Department's in-house operations and maintenance staff will endeavour to keep the road network in as safe a condition as possible. However, as they have only the resources to complete around three quarters of the total workload, they will not be able to provide the service that the public would expect in normal circumstances. In addition, I have been left with no funding to pay contractors for the repair of street lights that fail, unless they pose an electrical hazard to members of the public. Currently, 7,900 street lights are out across Northern Ireland and outages are rising at a rate of around 1,000 a week. My operations and maintenance staff are dealing with outages on a priority basis but they have only around one quarter of the resource required to provide normal service.

These have been difficult decisions to take, but they are necessary to try to protect areas such as winter service, where withdrawal of our work would have an even greater impact on the Northern Ireland economy and the public. I realise that these measures impact on contractors, road users and the public, but I have to make the best use of my Department's limited resources.

3.15 pm

Mr Anderson: I thank the Minister for that very detailed response. He has given us alarming statistics. There are issues that need to be addressed urgently. Does the Minister agree that a failure to repair potholes and similar road defects and damage, mainly on the small, rural roads, would, and does, lead only to more accidents and, therefore, more insurance claims and, as such, that it would be prudent to ensure that adequate funding is used to carry out the maintenance and repairs to potholes as soon as they are discovered?

Mr Kennedy: I thank the Member for his supplementary question. I cannot disagree with the sentiments that he expresses. It might well be that I will print the Hansard report of his supplementary question and direct it towards colleagues in the Executive, perhaps, even to his party colleague the Finance Minister, because I believe that the cuts and savings that have to be effected at this time have the potential to cost even more in the future. That does not make good economic sense. So, I welcome the sentiments that he has aired, and I hope that he will follow those through, even with his party colleagues.

Mr Deputy Speaker: That ends the period for listed questions. We now move on to topical questions.

Cycling: Ballymacarrett Walkway

1. **Mr Douglas** asked the Minister for Regional Development, following the publication of his draft bicycle strategy, to outline any plans that he has to improve the Ballymacarrett walkway section of the Comber greenway at the Holywood arches. *(AQT 1571/11-15)*

Mr Kennedy: I am grateful to the Member for his question. He doggedly pursues this issue; I know that he is also a keen cyclist. I also welcome his support for my vision of increasing the use of the bicycle throughout Northern Ireland. From his cycling experience, he knows, as will others, that the Comber greenway is one of the best pieces of cycling infrastructure that we have in Northern Ireland, and I am very keen to see it developed further.

The draft bicycle strategy picks up the theme of a comprehensive network for the bicycle and highlights the need to create a network of high-quality and direct joined-up routes. My cycling unit has started working on scoping out a bicycle network for the city of Belfast, and it will, undoubtedly, include the Comber greenway. I am keen to ensure that the Comber greenway links more effectively from the area around Holywood arches to the city centre. That would include improved links into the Connswater community greenway in the vicinity of the Ballymacarrett walkway and improvements to the greenway at various points along its length.

Mr Douglas: I thank the Minister for his answer. The Minister may be aware that there are rumours going about that there is the potential for a road to go through that area. Can the Minister confirm his commitment to retaining Ballymacarrett walkway as a walking and cycling route?

Mr Kennedy: I have been made aware of some of the rumours. It is unfortunate that such rumours have emerged. Certainly, under my watch, I have no intention of changing the status. I do not see it in any way other than being a walkway and a cycling highway.

Roads: Gritting

2. **Mr Spratt** asked the Minister for Regional Development to guarantee that winter gritting will continue, as in previous years, on all designated routes, given that the road gritting programme is the core business of DRD staff rather than external contractors. *(AQT 1572/11-15)*

Mr Kennedy: I am grateful to the Member for his question. It is timely. Of all the services that Transport NI and my Department provide, I think winter services are looked upon as essential. Certainly, this is a challenging budgetary period. Discussions are not yet concluded. He will know that the Executive are to have further discussions, even within the next 24 hours, and they will, presumably, be ongoing.

Certainly, it is my intention to protect winter services because I understand that, whilst there is no statutory obligation to provide them, they are important. The general public expect to see that winter services are provided to the maximum that they can be. That remains my position.

Mr Spratt: I thank the Minister for that answer. The Province has already suffered 62 fatalities this year. Last year, he and I stood in the House during the winter programme having sent our condolences to the family of a man who was killed just outside Saintfield in County Down. Given that, will he try to ensure that staff continue to look at the weather reports and make sure that gritting takes place? On a few occasions last year, that did not happen.

Mr Kennedy: I am grateful to the Member. Clearly, all the fatalities on our roads represent real tragedies to the families involved, and we should never underestimate that. I extend my personal sympathy and that, I am sure, of the entire House to all those who, even in recent days, have lost loved ones as a result of road fatalities. Obviously, investigations take place into each accident or fatality and into the reasons and the causes, so it is not proper for me to comment on that. I think that it is essential that we provide the winter services that people look to and expect but also benefit from. Of course, a salted road does not absolutely mean and ensure that it will remain free from accident. So, it is also essential that due care and attention is taken by road users at every opportunity.

Flooding: Warrenpoint

3. **Mrs McKevitt** asked the Minister for Regional Development to provide an anti-flood commitment to the residents of the Clermont Gardens and Charlotte Street areas of Warrenpoint following the opening of a new pumping station by NI Water. *(AQT 1573/11-15)*

Mr Kennedy: I am grateful to the Member for her question. There has been some correspondence through Assembly questions by her on this issue. Obviously, the new scheme that is in place will benefit local householders and local businesses. It is not yet clearly established that the cause of the flooding incident that took place recently in that area was solely the impact of the works that had been carried out. I am still waiting on final confirmation from that investigation, and I will, of course, make that available to the Member.

Mrs McKevitt: If the pumping station proves effective, Minister, in the Charlotte Street and Newry Street area and it is no longer considered to be at risk of flooding, will your Department support the amendment of the flood maps for the area so that the families who live there and businesses can avail themselves of full protection through their insurance companies?

Mr Kennedy: I am grateful to the Member for her supplementary question. Of course, it is an important consideration that, while new waste water treatment works improve the services that are provided on waste and sewage, water supply and all of that, they alleviate but do not completely eradicate the risk of flooding. The Member, I think, will be conscious of that. Nevertheless, I do, of course, sympathise with anyone whose home has been impacted as a consequence of internal flooding. I would not wish that in my house, and I certainly would not want to see it imposed on others. That is why bringing forward schemes is important, not only in the Warrenpoint area but in other parts of Northern Ireland. That is why it is important that we maintained the budget of NI Water going forward so that it can provide and improve the facilities, not only drinking water but waste water facilities, so that we can alleviate the risk of flooding.

DRD: Budgetary Pressures

4. **Mr Nesbitt** asked the Minister for Regional Development for his assessment of the current budgetary pressures on his Department. *(AQT 1574/11-15)*

Mr Kennedy: I am grateful to the Member for his question. In June monitoring, Executive Ministers, excluding the Health Minister and the Education Minister, were asked to make reductions of 2·1% and 2·3% this year to provide more money for health, to cover the cost of the non-implementation of welfare reform and to patch over poor financial management at the centre of the Executive. The failure to give notice of cuts or to allow them to be planned for over a four-year period has made those cuts deeper than they otherwise might have been and has meant that areas that could otherwise have been protected are now at risk. That has meant, as I have said in answers, that I have had to pause the issuing of work to external contractors, and that has impacted on street light repairs, gully emptying and grass cutting. I do not take any pleasure in having to take those tough decisions, but I have done so in the full knowledge of the potential implications. Let me make it absolutely clear again: I bid for an additional £48 million in resource funding in June, and that funding could have been properly spent in my Department this year. I received less than the shortfall on concessionary fares, and, I have to say, Departments headed by Sinn Féin and DUP Ministers did much better than that.

Mr Nesbitt: I thank the Minister for that answer. I also acknowledge his exchange with Mr Spratt on the winter service. Will he go further and specifically tell the House that the winter service and concessionary fares are red lines for him going forward?

Mr Kennedy: I am grateful to the Member for his supplementary question. I could not sustain and could not advocate with due conscience any cuts that would savage the winter service programme or, indeed, affect the concessionary fares scheme. Therefore, I am very happy to signal, as a member of the Executive, that they are red-line issues as far as I am concerned.

Travel: Audiovisual Information

5. **Mr Beggs** asked the Minister for Regional Development for an update on the provision of real-time audiovisual information to improve the travelling experience of the general public and, in particular, those with visual impairments, especially given that, this week, the Guide Dogs for the Blind Association is celebrating 30 years of assisting those who are blind or have visual impairments in Northern Ireland. *(AQT 1575/11-15)*

Mr Kennedy: I am grateful to the Member for his question. Indeed, it is timely because, just yesterday, in the Long Gallery and at the front of Parliament Buildings, we were able to join with others to celebrate 30 years of Guide Dogs NI. It was a real delight for me to share in that and to witness at first hand the work of the association. I know that the Member has been closely identified with that, as other Members have. On that occasion, I was also pleased to be able to announce that my Department will progress audiovisual services on our Metro bus services. It is hugely important that we make public transport available and accessible to as many people as possible. It is important for positive health benefits and for the reduction of social exclusion. I am proud to be the Minister delivering that important investment in public transport. *[Interruption.]* Perhaps if that is more interesting, I could listen, too. Anyway, I am proud to be the Minister delivering that important investment in public transport and in supporting those who are blind and partially sighted.

Mr Beggs: Previously during Question Time, the Minister indicated the significant financial pressures that he and his Department have faced. How has he been able to afford this expenditure?

Mr Kennedy: I thank the Member for his question. I have made it clear to the Regional Development Committee that I plan to use any revenue generated from those who commit moving traffic offences and to reinvest it to support audiovisual systems. I hope very much that the Regional Development Committee will support me in that as we move forward. The provision of audiovisual services on buses will not only benefit the blind or partially sighted, it will be of use to visitors and tourists. I see it as a real enhancement to our public transport system, and it will help many passengers in the years to come.

3.30 pm

Mr Deputy Speaker: Time is up. Members will take their ease while we change the top Table.

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

Private Members' Business

Victims and Survivors Service: Funding Crisis

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Nesbitt: I beg to move

> *That this Assembly notes the current funding crisis being faced by the Victims and Survivors Service; recognises the grave concern that this is causing for many victims, survivors and support groups, leading to some of them having to close, and the genuine hardships being faced by many victims as a result; and calls on the Office of the First Minister and deputy First Minister to take urgent action to alleviate this situation.*

Perhaps I should begin with what I consider to be a key word in the motion. It is a word often used and abused — crisis. Let me assure the House, in case there is a Member waiting to pounce and accuse the Ulster Unionists of being sensationalist, that we are not using it in any way to try to tug at the heartstrings. We are using its dictionary definition as "a time of great difficulty or danger". So, question one is this: can the case be made that victims and survivors are facing a time of great difficulty or, indeed, danger? What is the evidence?

First, they cannot rely on the services of the Commissioner for Victims and Survivors. She resigned earlier this year, leaving OFMDFM to seek its sixth commissioner in as many years. Secondly, there is no permanent chair of the Victims and Survivors Service. He resigned earlier this year. Thirdly, there is no chief executive of the Victims and Survivors Service. She resigned earlier this year.

Next is the PSNI, which has made clear that it can no longer afford to run the Historical Enquiries Team. Next is the Police Ombudsman, who said that, because of the cutbacks, he will have to go back to families to whom he made promises about historical investigations and tell them that he is sorry that he can no longer afford to deliver on those promises.

Finally, it is clear that OFMDFM needs to secure over £3 million from October monitoring. Otherwise, it will not be able to fulfil ministerial commitments to victims, survivors and their support groups. I suggest, Mr Deputy Speaker, that the case has been made that this is a crisis in the sense that it is "a time of great difficulty" for victims and survivors.

Often, when talking about dealing with the past, we debate it in terms of truth, justice and acknowledgement. This is a day to discuss other issues, but, for the record, let us mark the fact that the HET and the historical aspects of the Office of the Police Ombudsman are very nearly effectively on hold across the piece. There will be those who will argue that that is a breach of human rights. The Ulster Unionist Party has no difficulty with taking a human rights approach to how we deal with the past, but it is clear in today's environment that that has to be balanced by a resource-based approach. We have to consider what we can afford to do for victims and survivors. One of our criticisms of the Haass process was that there was never any mature debate about the resources that would have been required to implement his proposals on dealing with the past. Until we factor in resource requirements, there will always be a difficulty in that we will disappoint victims and survivors. We will raise their hopes only to dash them through the inability to deliver for them.

I would like to be as positive as possible in this debate. I congratulate OFMDFM for creating what I would describe as a virtuous circle. What do we have? We have a 10-year strategy for victims and survivors; we have expertise in OFMDFM and a funding stream; we have the Commission for Victims and Survivors, which advises the Executive on issues of merit and interest to victims; we have the Victims and Survivors Service (VSS), which is there to administer and hand out funds; and we have the victims' forum, which is there to offer advice, particularly in the first instance, to the commissioner. We have what should be a circular flow, a virtuous circle. Unfortunately, though, it is not working at the moment. The big issue is funding.

When I raised the issue of funding with the deputy First Minister in the Chamber, he seemed to disbelieve me, but I have since received a letter of clarification from him and the First Minister. Last year, in 2013-14, the baseline figure for the VSS was £11·3 million. After monitoring additions, it went up to £12·4 million, according to this letter. Currently, the Victims and Survivors Service is working on £10 million, but a bid of £1·3 million has been made in October monitoring. If successful, they say, this will put it at the same level as the opening baseline allocation for 2013-14. That sounds good, but the fact is that the VSS's projected out-turn for 2013-14 is likely to be £12·8 million, not £12·4 million, and it is currently working on £10 million. That is down over 22% on the projected out-turn for last year. That is 22%, not the 4·4% mentioned in the letter.

The letter refers to a bid of £1·3 million in the category of inescapable bids, but there is a second bid, not mentioned in the letter, in October monitoring. It is a high-priority bid of £1·7 million. The inescapable bid was not met in June, and, if it were to fail again, I suggest that it would be a criminal fault on our part. The victim support programme for groups is already heavily oversubscribed. The VSS has commitments to groups and individuals of £10 million plus £800,000, and there is an additional £350,000 for successfully assessed bids, such as the one in my constituency from Ards Phoenix. Groups that tick all the boxes to secure financial backing and have been told, "Yes, you qualify for support" have also been told, "But there is no money". We are talking about eight groups and £350,000.

It also means that there is not enough money for the VSS to offer to the bereaved and their children the relief that it wants to through the two schemes that it prefers: respite and education and training. Even if the October monitoring round were to yield that £1·3 million of inescapable bid money, the problem remains, because it will not cover all the ministerial commitments made to the OFMDFM Committee. For example, on phone calls, Ministers committed to maintaining a 24-hour callback to all VSS clients. Currently, some calls are fielded by Access NI. I am glad to have had the support of Committee members last week when we made it clear that this was no way to treat vulnerable people. You cannot overstate how difficult

it is for some vulnerable people to pick up the phone. It is not right that they have to go through an intermediary.

Also, some people who had been encouraged to come forward through a scheme approved by OFMDFM in March cannot access any goods or services from the VSS. That will not just sour relations between Ministers and those individual victims and survivors but damage relations with victims' groups — the people who were encouraged to encourage those individuals to come forward, individuals who are now being told that the cupboard is bare.

The bottom line is that the OFMDFM Committee has been given information that makes it clear that, without the full £3 million, OFMDFM feels that the Victims and Survivors Service will be unable to meet the basic needs and demands of victims and survivors. The VSS has been in the planning for 10 years or more, and it was something that I was briefed on in a previous life in 2007-08. However, it is not working, and it is high-maintenance. The current budget forecast for the service is £1·994 million — £2 million to run an organisation that does not have the budget to meet its or the Ministers' commitments and cannot even run a 24-hour telephone service for vulnerable people.

Efficiencies have been introduced. Staff and groups no longer receive training, the Freephone service has gone and schemes are no longer subject to public advertisement. Is that a good thing for victims? That the staff who oversee the processes of the service, which were very heavily criticised by the Committee over the last year or so, are no longer being trained? That there is no Freephone telephone number? That groups are not being trained in the management of money and that people who may be unaware of what they are entitled to no longer receive public adverts? I understand that efficiencies have to be made, but I question whether those are the right areas —

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

Mr Nesbitt: — in which to make them. The case is beyond doubt: there is a crisis of funding for the VSS. I commend the motion to the House.

Mr Moutray: The Troubles in Northern Ireland wrecked and scarred the lives of tens of thousands of our citizens. Today, many carry emotional and physical scars, with some having to cope with severe physical disability because of the actions of bloodthirsty terrorists. For many, their career was ended, their quality of life significantly reduced and their capacity to support their family limited. Our party has always been and will continue to be committed to ensuring that the innocent victims of the Troubles are not forgotten. However, I find it somewhat ironic that the Ulster Unionist Party has tabled the motion. Look back at when they were in government: the annual spend on victims was around £3 million, in comparison with the £11 million per annum today. That figure speaks for itself in how this party has prioritised victims.

The House must never forget the innocent people who suffered most and continue to suffer. As a party, we have prioritised the needs of innocent victims, and our record clearly demonstrates that we do not run away from the ongoing problems, particularly around the definition of a victim. We also have not compromised on the truth about the past and are making ongoing efforts to obtain special pension provision for the severely disabled.

The Victims and Survivors Service was and continues to be part of a wider infrastructure that has been put in place since devolution in 2007. The Commission for Victims and Survivors is now in its fourth year of promoting the interests of victims and survivors, and the VSS was the final building block of the Department's 10-year strategy that aims to secure a measurable improvement in the well-being of victims and survivors.

Funding for victims' services is at an all-time high. In recent years, owing to the high prioritisation of innocent victims, the First Minister has worked to increase the financial contribution made to the services, which is evident from the £50 million allocated to victims in the current Budget from the Department, Europe and other funding pots. An additional £1·1 million was secured in last October's monitoring round, with other amounts being secured throughout the year.

3.45 pm

Since the restoration of devolution in 2007, we have ensured that funding to victims has more than tripled. The additional services secured have meant that more people are coming forward to avail of services, which in itself is a welcome outcome. However, that has led to an increase in demand, which has led to a need to look at how services are delivered, the need to streamline and ways and means of cutting any fat out of the system.

We have to note the dire financial situation caused by Sinn Féin and its blocking of welfare reform. We see a fine of £80 million this year, so of course budgets will be cut. Front line services will be impacted on if it continues with its wrecking-ball tactics. I want the money allocated by the Department and Europe, and I want it to get to the people who need it. I do not want to see money absorbed into extortionate running costs or administration. I want to see it getting to the innocent victims who still bear the scars.

However, owing to the financial hardships that we are experiencing, the Victims and Survivors Service has been asked make a 4·4% saving on administrative costs. That has been done in consultation with them and with the regulated framework in place. That is in line with all other arm's-length bodies, and it is aimed at administration costs as opposed to cutting the services provided, as has been indicated by the proposers of the motion.

It is vital that every so often we take stock of the delivery mechanisms and look at how we do things. More victims than ever are presenting themselves to groups that are operating and as individuals to the VSS, and it is important that we address and deal with their needs effectively with as much of the available revenue as possible going to victims.

Despite the wording of the motion, our concern is with the victims, and we do not intend to divide the House on this issue.

Ms McGahan: I support the motion. It is important that we welcome the Assembly's commitment to victims. It was announced that moneys available to victim support services have increased by 50% during the tenure of this Assembly. It should be acknowledged that the Assembly will always want to meet the demand; that is why there is a bid for additional funding in the October monitoring round.

It is important that we look at the complex needs of victims and how we fund those programmes to ensure that victims' rights are protected. In a question to this Chamber, it was identified that, between 2007 and 2011, £33 million was allocated to victims' services. That increased to £50 million in the current Budget. That increase of 50% highlights the commitment to delivering the services needed for victims, and, although budgets are under stress due to the Tory cuts, it also shows that the welfare of victims is still top of the political agenda.

Under direct rule, the budget allocation for victims was £11·8 million. That increased to £33 million in the last Assembly mandate. Since 2011, the budget allocation has grown to its current level of £50 million — nearly five times the budget allocated by the British Government under direct rule.

It is important that victims and survivors have a service that is tailored to their specific needs if we are to bring about the healing that is needed for them to move on from the trauma of the conflict. The Victims and Survivors Service was set up to manage and deal with the issues presented by people affected by conflict. However, many of the individual needs reviews added to the trauma of the victims and survivors and were ordeals for them.

It became clear that the Victims and Survivors Service was not doing what it was designed to do and, while many people have had a positive experience, there were too many accounts of negative, frustrating and humiliating encounters. OFMDFM initiated an independent assessment in November 2013 to look at the delivery of the service through the Victims' Commissioner. The OFMDFM Committee has taken a huge interest in ensuring that the service is fit for purpose. Following the outcome of the independent assessment, the First Minister and the deputy First Minister committed to ensuring that the necessary changes take place and that further proper scrutiny mechanisms are in place to monitor progress on the issue.

It is important to note that there has been an increase in the number of victims coming forward since the establishment of the Victims and Survivors Service. That has led to increased pressures. In that context, the supply of services will need to be looked at. The Victims and Survivors Service has been asked to secure 4·4% of efficiencies from its running costs and from the administration of groups, not from front line services funded under the victim support programme. That is in line with the level of efficiency savings being sought by the Department from its arm's-length bodies and from the Department itself.It is being taken not from individuals' budgets but from groups'. Throughout 2014-15, the Victims —

Mr A Maginness: Will the Member give way?

Ms McGahan: OK.

Mr A Maginness: In a sense, the Member tries to minimise the cuts that are being made to the Victims and Survivors Service, but the reality is that any cut is going to impact on victims and survivors, and that causes real damage and hurt.

Mr Deputy Speaker: The Member has an extra minute.

Ms McGahan: I do not believe that that is what I was trying to convey. Perhaps if you had listened to what I said, and not to what you thought I said, you might have got the message.

Throughout 2014-15, the Victims and Survivors Service will continue to provide funding to individual victims through the individual needs programme and to victims' groups through the victim support programme. A number of the schemes were opened over the summer to help individuals, including the financial assistance scheme, the care for carers scheme and the support for the injured package. However, the other individual schemes — respite breaks, and education and training — have to be deferred, pending additional resources being secured.

Finally, it is important to note the comments of our deputy First Minister. He said:

> *"People have to remember that the cutbacks are a direct result of the strategy being adopted by the present coalition Government in London". — [Official Report, Vol 97, No 1, p23, col 1].*

He added that, in a meeting with our own finance people, it was stated that, since 2009, there has been no increase whatsoever in our block grant. Go raibh maith agat.

Mr Attwood: Let us stop for a moment and think about this debate and the debate last week. There is actually a point of unanimity in the Chamber, and that is around dealing with the issues of victims and survivors.

Among many proposals that we will make, we propose that, if there is unanimity around Kincora and unanimity around this motion, that should be a point of agreement when we come to the talks that are about to commence over the next number of weeks. We should present to the British Government a united position when it comes to Kincora and the Victims and Survivors Service. We should do that because of the words in the media recently of Damien McNally, a survivor of trauma, who said:

> *"When you add that into what is happening with budgets, with nothing happening with Eames/Bradley, nothing happening with the Haass proposals ... we are just left wondering where we go from here."*

Our answer to Damien and all the other victims and survivors is that, from here, we go into the negotiations with the British Government, and we put centre stage, among many other issues, the past and Kincora, and the past and victims and survivors arising from state violence and the violence of the terror organisations over the past 40 years. Let us at least agree to all of that.

One of the reasons that I put down that marker is this: mark my words, when we go into negotiations over the next while, there will be vested interests that will try to unpick Haass on the past, because the threshold of Haass on the past is far beyond what the vested interests of loyalist and republican organisations and state agencies are prepared to accept or tolerate. The Haass proposals on dealing with the past ask hard questions that require hard answers from those who were in command and control of terror groups, on the one hand, and state agencies, on the other. In the view of the SDLP, during the next round of negotiations, they will seek to unpick the Haass threshold because it is too challenging and too demanding, and it asks too many questions of those who directed terror and state violence over the last 40 years. If we are to live up to the appeal of Damien McNally and many other victims and survivors, we must not allow Haass on the past to be unpicked in the way in which some will conspire to do.

Mrs D Kelly: Will the Member give way?

Mr Attwood: Yes.

Mrs D Kelly: Will he agree with me that we had a very dirty war? I wonder whether all those engaged — all the participants — in that dirty war are really prepared to tell the truth about what they did.

Mr Attwood: What I have just said answers Mrs Kelly's question, which she rightly asks.

It was unfortunate that Mr Moutray tried to reduce the debate, on which we can have unanimity, to one about welfare cuts. However, given that he has raised it, can we take the point and be more constructive? What is the point? It is that one of the arguments that we have to employ with the British Government and which, in my view, was not deployed fully, was that, because of the needs of victims and survivors in the North and the needs of our public generally, arising from state violence and the violence of terror organisations, our profile is very different.

The chief executive of WAVE, Sandra McPeake, said recently, and it has been referred to earlier, that there was a 34% increase in victims and survivors contacting her organisation last year. She said that people as young as seven were contacting her organisation because the trauma of terror and state violence is passing into new generations. What is the consequence of that for us in living up to our responsibilities to victims and survivors? It is to say to the British Government that, when it comes to special provision for those who have been severely disabled — the 550 people who lost limbs or eyes or were otherwise severely disabled — when it comes to welfare need because of the legacy of conflict and that we have increasing numbers of people presenting with trauma arising from the conflict, Northern Ireland is different when it comes to the issue of Budget negotiations. If they want to live up to supporting the needs of victims and survivors of the conflict in this negotiation, let them live up to it when it comes to Budget provision generally and welfare provision specifically. Let us make that a point of unanimity in the Chamber today and a point of argument when it comes to these negotiations.

My final point is this: I ask the First Minister and deputy First Minister to explain how much has been put into corporate expenses and corporate costs of the VSS, and how much has gone into the lives of victims. I also ask the First Minister and deputy First Minister this: why have victims and survivors' moneys not been ring-fenced in the budget of OFMDFM? If the Health Minister makes that call and the Education Minister makes that call, why do the First Minister and deputy First Minister FM not make the —

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

Mr Attwood: — exact same call and ring-fence, in their budget, the allocations to the VSS?

Mr Lyttle: I support the motion. I feel exhausted and frustrated on behalf of victims and survivors in Northern Ireland. I will try to play this with as straight a bat as I can, because they are owed that much. Whilst I agree with the motion, its proposers could have had a slightly more humility in recognising the fact that, in fairness to the DUP and Sinn Féin, more has been invested in victims and survivors services than under the Ulster Unionist Party and the SDLP when they occupied the Office of First and deputy First Minister. In fairness to them, they recognise the progress that has been made in the wider infrastructure that is in place.

The SDLP voted in favour of the June monitoring round allocations that led to the strict financial circumstances that required some of these changes to be made. So, it too is on some shaky ground there. The Alliance Party voted against the proposals for these financial arrangements.

The First Minister said:

> *""Victims and Survivors are some of the most vulnerable people in Northern Ireland and it is imperative to provide services"*

that meet their needs. I agree wholeheartedly with that statement, but the test is to see whether reality and that rhetoric meet.

As has been referred to today, in July this year, the Victims and Survivors Service was shocked by OFMDFM notifying it that its budget for the financial year 2014-15 would be cut to £10 million, having had a final expenditure — and I agree with the proposer of the motion in this regard — of £12·8 million for the financial year 2013-14. I understand, and it appears to be the understanding of the proposer of the motion, that that accounts for a 22% reduction in expenditure for the Victims and Survivors Service. That is a significant reduction. It is disproportionate to many of the other reductions that have occurred across the Executive Budget. It begs the question of why other aspects of the Budget have been ring-fenced when a service for what the First Minister called some of the most vulnerable people in our community has not been protected. That does not stack up with the rhetoric of protecting victims and survivors.

4.00 pm

What is the impact of that reduction on victims and survivors? As has been referred to, we have had a cessation of staff training and training for groups, the withdrawal of freephone numbers, and the withdrawal of public adverts that communicated the availability of those schemes to victims and survivors. Under normal circumstances, those might be referred to as efficiencies or administrative costs, but we need to bear in mind that this is a service that has approximately 70 recommendations for improvement further to an independent review of its procedures. Many of those included difficulties with people being aware of the schemes, accessing telephone conversations with advisers, and staff having appropriate training to be able to deal with those victims and survivors. These are cuts that are going against the recommendations for improvements that have been made for the service.

We have also had a cessation in respite breaks, education and training, which means that no services are available for the bereaved or children of the injured. We have also had cutbacks in chronic pain management and psychotherapy treatments. That does not allow the Victims and Survivors Service to have the flexibility to provide for carers, the injured and the bereaved going forward. The consequences are severe. It will attract criticism for Ministers, and it will undermine Ministers' commitment to ensuring that the needs of victims and survivors in our community are met.

The real impact is on approximately 3,000 people across Northern Ireland. It is on bomb victims and people who have been blinded or have lost limbs or have lost loved ones as a result of paramilitary violence. Those people are angry, worried and confused. It is time —

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

Mr Lyttle: — for the DUP and Sinn Féin to stop passing the buck to the Victims and Survivors Service and to stop being in denial about the impact of their political decisions on front line services to victims and survivors.

Mr D McIlveen: I welcome the opportunity to speak on this debate today. To be honest, had this debate not been around the very sensitive issues of victims, I am not sure that I, in all conscience, could have supported it. At best, it is a clumsily-worded motion, and, at worst, it is an exploitation of the very people we are trying to protect when it comes —

Mr Nesbitt: Catch yourself on.

Mr D McIlveen: — to dealing with our victims sector.

I hear the barracking from the sides, but I sometimes wonder whether the Ulster Unionist Party is in the same Assembly as the rest of us. On one hand, we have its Minister telling us that he is going to switch off the street lights and take free travel off old people, and, on the other hand, he seems to be completely oblivious to the fact that there are cuts right across the Executive, which have been imposed on us through intolerance and an inability to accept welfare reform across the House.

Mr Nesbitt: Will the Member give way?

Mr D McIlveen: Reluctantly, I will.

Mr Nesbitt: I thank the Member for giving way. Can he name one other arm's-length body under any Department that is facing the 22% cut that is currently being faced by the Victims and Survivors Service? Just one other arm's-length body.

Mr Deputy Speaker: The Member has an extra minute.

Mr D McIlveen: Thank you, Mr Deputy Speaker. I am baffled as to where the figures come from when it comes to these types of motions and debates. As has been highlighted on a number of occasions already, there has been a tripling of the resources to our victims sector since 2007 year on year. On top of that, the very organisation that the proposer of the motion claimed had its funding almost completely cut — the Northern Ireland Phoenix Project — has had funding of £81,000 in the last two years from the VSS.

So, at its core, there is misinformation and a misunderstanding, I believe, of what is happening within the sector.

I really wish that some parties in this Assembly, whenever they get incensed about something, as we all do from time to time, rather than running down to the Business Office and bringing a motion to the Floor of the Assembly that does nothing other than further confuse the groups that have already been experiencing some difficulties, would come and talk to the decision-makers, the ones who are challenged to sort this issue out. You will find that there is a bid for a further £1·3 million in the October monitoring round, which we are cautiously optimistic will be delivered. This is something that we need to bear in mind.

There has been a 4·4% reduction —

Mr Lyttle: Will the Member give way?

Mr D McIlveen: I am sorry. I am just running out of time here. If I do have time, I will bring Mr Lyttle in.

There has been a 4·4% reduction across the majority of Departments. That 4·4% has had to be borne by every body within OFMDFM, including, of course, the Victims and Survivors Service. That has been mitigated, as best as it possibly can be, by dealing with mainly administrative costs. That is where the argument of less awareness comes in. I have to be honest: it does not stack up, because consistently there has been an increase. That is what is putting the additional pressure on this sector — there is an increase year on year of victims coming forward asking for support, and, indeed, we should be giving that support to them. Furthermore, for that criticism to be levelled by Mr Lyttle in particular was quite telling, bearing in mind that the 4·4% reduction to the Justice Department has not been fairly divided between the bodies that are within it, namely the PSNI, which has had over 7% taken off its budget in the coming years. That has been confirmed by the Chief Constable and everybody else involved in the sector.

So, as I say, I struggle with what is behind this motion, other than an attempt to grandstand and scare. Of course, we are used to that in this House. We have to be sensitive to the needs of our victims and survivors. We have to listen to the concerns, and where there are concerns, we have to step up to the mark and deal with them. To deal effectively with those concerns, however, is not to add more confusion, concern and worry than they are already facing.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the opportunity to discuss this important issue. As the proposer outlined, these financial restrictions have a disproportionate impact on vulnerable citizens; in this instance, victims and survivors from all sections of society.

A couple of issues are conveniently overlooked by both unionist parties. The first is that their MEP colleagues, Jim Nicholson and Diane Dodds, voted for a cut to the EU budget last year; a budget that gives a huge amount of financial support to local victims and survivors groups.

Secondly, I do not think that you can pick and choose opposition to the effects of austerity. If it is wrong for vulnerable victims and survivors to suffer the effects of austerity, it is equally wrong when it comes to welfare cuts and the extent of cuts to the overall block grant in every section or sector. But we should not become transfixed today on moneys alone. If OFMDFM needs to work to see adequate funds secured, the two unionist parties need to face up to their responsibilities to engage positively on issues relating to the past in the upcoming talks process, for it is they who turned their backs on victims during the Haass proposals.

Mr A Maginness: Will the Member give way?

Mr Hazzard: No, I want to get through this, thanks.

There can be little doubt that current investigative mechanisms addressing the legacy of the past have, for various reasons, impacted negatively on victims and

survivors. The HET process, for example, has been deemed to be in breach of the law in how it approached killings by the British Army, and far too many inquests are experiencing difficulties, resulting in serious issues with the length of time it is taking those hearings to be conducted in an article 2-compliant manner. Indeed, the senior coroner, John Leckey, spoke lately about his frustrations. Of course, we have also endured the debacle with the previous Police Ombudsman, Al Hutchinson. Although those issues have been resolved with the new ombudsman, we now face the cuts that were announced by the DOJ last week.

The House should be under no illusion that such inadequacies have inflicted additional trauma on families from every section of our community. Sinn Féin has consistently argued that there needs to be a single mechanism that can deliver to all families, irrelevant of who they are or how harm was inflicted on them. We believe, therefore, that the Haass/O'Sullivan proposals represent the best way forward not merely in addressing the legacy of the past and the harms caused but equally in recognising that inadequate processes, whether by design or through deliberate lack of resources, are also contributing significantly to additional trauma to the bereaved and injured of the conflict.

We also believe that the cost of addressing the legacy of the past should be the responsibility of the British Treasury. I say that in the context of a series of payments made directly from the British Treasury concerning legacy issues within the wider peace process at various times, including, to list some payments, £0·5 billion in severance payments as part of the Patten reforms to policing; a similar payment of £70 million more recently to the Prison Service; £250 million in pensions and other related payments to the RIR; and a £20 million gratuity payment to the RUC Reserve. We believe that, when it comes to the legacy of the past, that approach is the right way forward. I welcome the fact that the Justice Minister, when he appeared before the Justice Committee last week, stated that the Treasury should carry the cost of dealing with the past.

We believe that the British Treasury needs to take responsibility for addressing the mental health effects of the conflict, including supporting the direct needs of victims and survivors who are facing great difficulties. In the words of the Justice Minister, David Ford, last week, "It happened under their watch". Moreover, given that Theresa Villiers indicated that the British Government would be minded to resource the outworkings of the Haass/O'Sullivan talks, surely the House can agree that it is nonsense to fund the addressing of legacy issues through the block grant.

We are content to support the motion. There can be little doubt that there is not enough money in local budgets, including moneys utilised by victims, but, as I said, we should not become transfixed on moneys alone. Victims and the groups that work tirelessly beside them need clarity. They deserve to know the pitfalls that are lurking around the corner, because, to put it quite simply, hundreds if not thousands of lives depend on it. That is why I believe that we need to ensure that contracts to funded groups should continue into the next financial term. In doing so, we can safeguard a continuity of vital support services. Perhaps most importantly, however, we can create the time and space to address weaknesses in the overall strategy for victims. We should be under no illusion that current uncertainty is having an adverse impact on their mental health and well-being. I support the motion.

Mr Spratt: I am pleased to be able to speak to the motion. It is unfortunate that the motion has been brought to the House today, given that the Committee for the Office of the First Minister and deputy First Minister will meet the VSS and departmental officials tomorrow to discuss some of these matters. Mr Nesbitt, the proposer of the motion, was right when he said that, when the victims' forum came to the Committee, we were horrified at some of the things we were told by some of the victims and folks who were suffering real difficulties as a result of inaction by the Victims and Survivors Service. The Committee very quickly took the issue to OFMDFM, and, in fairness to OFMDFM and to Ministers, they investigated the matter very quickly. There were some 70 recommendations, and I understand that 47 have been completed.

In the past couple of weeks, we were upset to hear that some of the issues have possibly taken a step back. I would have thought that that was a better way for us to be unified and to deal with those issues in the Assembly. I am glad that Mr Lyttle picked up on funding for victims and survivors and that he recognised that, since 2002, when the Ulster Unionist junior Minister announced only £3 million, that money has increased to £10 million in the past number of years. Only yesterday, the junior Minister indicated at Question Time that the £1·3 million bid in October monitoring was very likely to be accepted. That would bring it up to £11·3 million, which is the same as last year.

4.15 pm

There are a couple of things that we also need to look at. I have raised this consistently in Committee. There has been an increase in the number of people who come forward looking for support for injuries suffered in the past, maybe for chronic pain management and so on. Quite substantial amounts are being paid out, particularly to folks on high-level disability living allowance (DLA) who get some £1,000 a year and another £500 for carers. All of that is being dealt with.

The other issue is that the number of groups in the sector has dramatically increased — by one third. That increase has, in some cases, simply been due to various groups falling out and people going off to start another group. We often hear that, in small areas, many groups offer the same services to the same victims. In due course, all of that needs to be looked at in the round as well.

It is wrong for us to use people injured throughout the Troubles for political purposes, given the very substantial amounts that have come not only from the Department but, as revealed in an answer to an Assembly question, Peace III funding, which allocated £36·7 million to projects that fall into priority 1.2 on acknowledging and dealing with the past. I am pleased that groups in Northern Ireland have been successful in bidding for those funds. There are other funding streams available through the Community Relations Council and the International Fund for Ireland. Indeed, there is also some council funding for groups.

It is imperative that all of us look at the issues that victims are raising The place to do that is at Committee. Then, as we have done in the past, we can take it to the

Department, the Ministers and the service to see how it can best be dealt with.

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

Mr Spratt: Let us stop playing politics with victims in the Assembly. It has happened far too often, and, unfortunately, the Ulster Unionist Party has been behind it many times.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. I want to make a few remarks in the spirit of how the previous Member to speak concluded his. First, I do not, for a number of reasons, think that it was necessary for the motion to come to the Chamber today at all. Of course, my party has agreed to support it and certainly supports the sentiment behind it.

It is very unfortunate that a number of Members tried to politicise the debate, given that we all know that, in recent times, the Committee for the Office of the First Minister and deputy First Minister has been very diligent and robust in examining the situation of the victims sector, not least the problems associated with moving from one system to another. We had the funding issues, which people acknowledged have significantly increased in the past number of years. In Committee, we all took the view that there is an awful lot more that we can and need to do to support the broader victims sector. God knows that we know that there are very many disparities in the sector. I do not want to address any of them. Some Members have already talked about the different categories of victims, as they have been described in the past, with different outcomes. Our job now, in the context of trying to support victims and survivors, is to get them the best service that we possibly can. I look forward to the Minister outlining this afternoon the efforts that have been made in the last number of years, and that will continue to be made, to make sure that we can deliver the best possible services to victims and survivors. As I said, we all understand that they need the maximum volume of quality support and services that we can endeavour to deliver for them.

The proposer of the motion started off by saying that he wanted to be positive, and then introduced quite a number of negatives, not least by trying to excuse himself from walking away from the Haass and O'Sullivan proposals, which, if we had remained united and stuck together — three parties did agree with the proposals — would have given us one hell of a better opportunity to go and get the additional resources that we all agree we need. I rebuke the proposer of the motion for introducing politics into what should be a non-partisan discussion. It is regrettable that that happened. Other Members made their own little remarks and, if any victims and survivors are listening in or read the report of the debate, they will make their own mind up.

Our party is determined to continue to work in the Department, under our leadership opportunity through Martin McGuinness, and through the Committee. Unanimously, across all the parties, the Committee has been resolute in recent times in trying to make sure that the Victims and Survivors Service is fit for the job that it has to do, which is a very difficult and challenging job. We have to try to maximise the resources available for victims and survivors. As I said, I, like other Members, welcome that we have managed to increase the resources. However, we know that the demand continues to increase. We have to try to continue to monitor whether the services now available are doing the job that they are required to do — there is still much work to do to improve that service — and what additional resources we might need in the time ahead to address the needs of victims and survivors.

By way of illustration, I will deal with one case, which I raised recently at the Committee for the Office of the First Minister and deputy First Minister. It involves a lady whose father died when she was 15 years of age. He died as a result of the conflict, in a bar bombing in Belfast. Her brother was shot dead in a sectarian incident. Another of her brothers was seriously injured in the same incident. Yet she, as one of a number of siblings in that family, cannot access any support. That is down to the fact that there is a finite budget, which I fully understand. That is just one sibling in one family, from a range of families, who is disqualified from getting any support at this point — even different levels of support for members of her family — because of the finite budget and the means testing associated with —

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

Mr Maskey: — accessing resources. Clearly, we all have a job to do — all of us together, across all the parties — to deliver the best services and the maximum resources that we can for those victims and survivors of the conflict who require them.

Mr A Maginness: I do not know what is worse: the false hurt and self-righteousness of the last Member who spoke, the silence of Chris Hazzard, or the excuses put forward by Bronwyn McGahan in relation to the victims and survivors' budget. It seems to me incredible that any of those Members would seek to justify cuts to the Victims and Survivors Service. Whether the cut be 4%, 22% or whatever, it still should not happen. The budget for victims and survivors should be ring-fenced and the service should be improved and enhanced. The problem with the Victims and Survivors Service, which is a great idea and should be a model of excellence, is that it has been dogged by underfunding, in my view, and, in addition, by institutional failings. Those —

Mr Hazzard: Will the Member give way?

Mr A Maginness: Certainly not to the Member who refused — *[Interruption.]* If the Member wishes —

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

Mr Deputy Speaker: I hope that it is a point of order, Mr Hazzard.

Mr Hazzard: Just to clarify exactly what I said in case the Member was not listening —

Mr Deputy Speaker: Order. That is not a point of order.

Mr A Maginness: If the Member wishes to conduct a debate, he should enter into the spirit of the debate and accept points of intervention so that we can debate these subjects, but of course the Member remains silent and refused to accept my particular point — *[Interruption.]*

Mr Deputy Speaker: Order. All remarks must be made through the Chair.

Mr A Maginness: — during his address to the Assembly.

I go back to the point: there are institutional failings. Kathryn Stone pointed them out in her very detailed report, and those failings remain. Last Friday, I spoke to two victims of the Troubles: one had been injured by a republican paramilitary organisation and the other by a loyalist organisation. Both of them said that problems continue in relation to the service because it is not properly managed. There is no sense of empathy coming from the service to the victims. That is a problem, and it has to be addressed. For example, on the board of the service, there is no representative of victims. There may be good people on the board — I do not doubt that — who are doing their best, but there is no victim on the board. That is an incredible omission. Dealing with victims in a bureaucratic, administrative fashion and developing that culture of dealing with victims is entirely inappropriate. That is what those people said to me, and that is what victims' organisations say to Members of the House. We cannot ignore that. We have to improve the service.

I give credit to the Office of the First Minister and deputy First Minister for promoting the service and for attempting to act on the report of Kathryn Stone, but an awful lot of work needs to be done. The attitude has to change. It has to move from an administrative organisation to a service organisation — that is clear. We have to ensure that there is proper financing, even in the darkest of austere times and budgeting. We have to guarantee that. We cannot have a stop-start service for victims. You cannot have respite care or educational care and opportunities suspended. There has to be a continuum. If we do not get that across to those who are attempting to provide that service, we are failing the victims —

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

Mr A Maginness: — who should be at the very centre of our concerns. I welcome the debate, because it is properly focused on the Victims and Survivors Service. I think that all Members of the House should take note of that.

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

Mrs Overend: I am grateful for the opportunity to participate in the debate and support the motion proposed by my party leader, Mike Nesbitt.

There are few places in Northern Ireland where the Troubles did not visit and where its effects are not still being felt. Indeed, the constituency that I represent — Mid Ulster — was particularly badly hit by the despicable terrorist campaign. Therefore, it is home to many people who feel the acute effects of that terrible time. Murders were committed by terrorists in virtually every town and village, almost without exception. If I were to list them now, we would be here for a very long time.

In recent years, we have seen significant anniversaries for the Teebane massacre, when eight people were killed and six were left seriously injured, and the murders that took place in Coagh, where three men were murdered in cold blood by IRA terrorists. A long time has passed since those and other terrible atrocities took place, but the grief and pain is still felt by the victims and survivors and their families, especially when one considers that many of those murders have gone unsolved. Indeed, it seems that the terrorist campaign is not long over in Mid Ulster, and we remember the family of the late David Black, who, just over two years ago, was murdered on his way to work in the Prison Service. These are traumas that should never be faced by any person, and because the injuries and bereavements have such a sinister cause they fall on the shoulders of victims and survivors with a heavier weight.

4.30 pm

It is clear that victims and survivors need specialised care and counselling to deal with these traumatic issues, especially as many of them still feel extremely vulnerable. Local victims' organisations provide life-saving services to former members of the security forces, their families and other victims of terrorist violence. The removal of funding from these organisations is having a devastating impact on the individual victims. As has already been said, the cuts are compromising the future status of victims' organisations and their ability to continue to provide vital services. The Mid-Ulster Victims Empowerment (MUVE) project is one such group that is taking up the challenge in Mid Ulster and is providing care in ever more challenging circumstances to the most vulnerable local victims and survivors and their families. I have met members of the group on a number of occasions and have heard at first hand the difficulties that they face on a daily basis just to keep going. They face cuts only months into their first full year of operation. Faced with those cuts, groups such as MUVE will be unable to continue to provide their much-needed services to vulnerable people in Mid Ulster, leaving them to face an uncertain future with potentially devastating consequences for their care.

These groups are already feeling the squeeze, with one group telling me that it felt as if it was facing death by a thousand cuts, as funding is picked apart and withdrawn, bit by bit. To have these groups virtually begging for funding is nothing short of a disgrace, especially when one considers that many ex-prisoners' groups, which played the central role in creating victims, seem to be able to access large amounts of funding with relative ease. Indeed, the Member for Fermanagh and South Tyrone talked about the increasing funding for victim support in comparison with direct rule government times. Seriously, does she not recognise that, instead, a huge amount of money was spent rebuilding Northern Ireland after the long and horrific terrorist campaign by her colleagues in the IRA?

The brave men and women of the security forces who put their own lives and those of their families at risk in countering the terrorist threat over many years have been treated with a lack of dignity and respect by OFMDFM. Why should those who suffered most during the Troubles be asked to pay the price during a time of peace? Surely the needs of innocent victims should be prioritised as a matter of course; they should not find their funding cut or completely removed.

Mrs D Kelly: I want to say a few words in support of the motion and of victims and survivors, who ought to be central in all our thinking, particularly in this debate. As a society we owe a great debt of gratitude to victims and survivors, who, since the signing of the Good Friday Agreement, had remained largely in the background and quite silent on a wide range of matters but were prepared to support the new institutions and the Good Friday Agreement in the hope that their needs would be met.

Over the past couple of days I have read comments from victims who have had some of their services cut, and my heart goes out to them. I see it as a function of OFMDFM,

which has a particular responsibility. However, I know from my constituency work, having spoken to victims, that quite often their concerns centre around the security of provision of social housing and of having the adaptations that they require as they age as well as access to health services.

Other Members spoke about the number of victims increasing. Not only are more people coming forward with mental health issues, but there is also the transgenerational impact of the Troubles. We can all see that. Dealing with the past is something that we, as politicians, have to grapple with, and the British Government have a central role in particular, not only in addressing the past but in helping to resource the needs of victims and survivors.

I know that my time is limited, but I did not want to let the debate go without paying tribute to the many men and women who, over the past 30 to 40 years, as workers in the emergency services had to see horrendous sights and attend the murder and maiming of fellow human beings. Often, they are the unsung heroes of the conflict. I pay tribute to them. I am sure that many of them, without being direct victims of the Troubles, suffer from post-traumatic stress. I hope that, if they have needs, they will be included in any assessment of need.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): I am grateful for the opportunity to respond to the concerns regarding the current funding situation for victims and survivors. I can assure Members that addressing the funding needs for victims and survivors is a particularly important matter for us and one that has been and will continue to be given a high priority.

The Victims and Survivors Service was established on 2 April 2012. It is responsible for distributing the funding provided by our Department to individual victims and survivors and to the groups that work directly with them. In making its services available, the service assesses eligibility in accordance with the definition of a victim as set out in the legislation. We fully acknowledge and recognise that the needs of victims and survivors are an important legacy of the conflict. That is why the service was established to help address the needs of that priority group.

At the beginning of the 2013-14 financial year, the opening baseline budget for the Victims and Survivors Service was £11·3 million. We also secured additional funding in last year's October monitoring round of £1·1 million, which increased the funding to £12·4 million. A further £400,000 was secured at year-end, which took the final out-turn for 2013-14 up to £12·8 million, although it should be pointed out that the costs for 2013-14 were temporarily high due to the need to recruit additional client assessors to undertake the independent needs review. Comparable costs for 2014-15 are therefore expected to be lower.

There has been an increase in the number of victims coming forward since the establishment of the Victims and Survivors Service, and that has inevitably led to increased demand for the services. As that demand increases, we need to think about the supply of services and the funding that is available to effectively and efficiently deliver them.

When the June monitoring budgets were delayed, we initially allocated the Victims and Survivors Service a budget of £10 million to enable it to provide support as early as possible into the financial year. Our previous bid for additional resources was not met in the June monitoring round, but another bid has been submitted for the October monitoring round. Whilst the Executive applied a 2·1% reduction in resource budgets immediately in June monitoring and indicated that there would be a further 2·3% reduction in resource budgets in October monitoring, the Executive's June monitoring paper recognised the concerns around resource funding for victims and survivors. The Executive have agreed to return to the issue in October monitoring, with a view to providing additional resources. In the light of that, our Department has made a bid of £1·3 million in October monitoring to restore the service's baseline to £11·3 million, which is the same as the opening budget for 2013-14. In the meantime, the Victims and Survivors Service has been asked to seek to secure 4·4% of efficiencies from its running costs and from the administration of groups funded under the victim support programme. That is in line with the efficiency savings being sought by the Department from all its related arm's-length bodies and the Department itself.

The Department wrote to the Victims and Survivors Service's interim chair to advise the service of its initial allocation for 2014-15 and to set out an agreed policy framework for it to apply operational discretion in the allocation of its budget. The framework indicated that the service should, first, take into account consultation with the victims' forum and the Commission for Victims and Survivors; secondly, continue to protect the victims and survivors with the greatest needs and suffering; and, thirdly, continue to meet the needs of individual victims and survivors.

The need to identify 4·4% of efficiencies has inevitably created pressures, and that has been well documented across all Departments. In the short term, budget reductions will, unfortunately, have a direct impact on the provision of support to victims and survivors.

We are asking that the service look at the administration. We want to enable the priority focus to remain on the maintenance of front line services. It is also working closely with groups and continues to prioritise the needs of individuals to protect those with the greatest needs. To that end, the service is committed to maximising cost savings internally to ensure the minimum impact on its operation through reductions in running and staffing costs.

Following confirmation of its budget on 31 July 2014 and having assessed the information and the next steps, the Victims and Survivors Service wrote to all victim support-funded organisations, informing them of the budget reductions. The service then scheduled meetings with the organisations to discuss their proposals to meet their required efficiencies, and the majority of those meetings have now taken place. I am aware that the Victims and Survivors Service has asked groups to, first, submit details of their proposed efficiencies and, secondly, to state what impact, if any, those savings will have on front line service delivery. Thirdly, it asked the groups to say what impact, if any, the savings will have on the organisation's structure. This information will then be scrutinised and submitted to the Department to assess the overall impact of the funding position.

Throughout 2014 and 2015, the Victims and Survivors Service will continue to provide funding to individual victims through the individual needs programme and to victims groups through the victims support programme. Schemes were opened over the summer to give help to

individuals, including financial assistance, care for carers and support for the injured. However, the other individual schemes — respite breaks and education and training — have, unfortunately, had to be deferred pending additional resources being secured. I too have spoken to victims and survivors who have been directly affected by that deferral, and we are looking at that to try to get it sorted out as soon as possible. I am aware of the impact that it has on those individuals and their families.

In moving forward, we will continue to work with the Victims and Survivors Service and the Commission for Victims and Survivors to ensure that the service directs funding to victims and survivors most in need of support and services. Our aim is that, through the implementation of the recommendations in the independent assessment report submitted by the commissioner earlier this year, we will hope to transform the service into a client-centred organisation that is fit for purpose and puts the needs of victims and survivors first. Victims and survivors should receive packages of care that are tailored to their needs and are delivered promptly and professionally. Our vision for the service, as set out in our current strategy for victims and survivors, is to secure the provision of an appropriate range of support services. Victims and survivors' needs are diverse and varied, and we want the service to provide holistic support, including practical needs, and, if this is not immediately possible, to signpost them to an appropriate statutory body. Support should not stop at that point, and victims and survivors should be assisted through the process, where possible by dedicated caseworkers who act as a consistent point of contact.

We recognise the capacity that exists in the sector across all groups in delivering support and health and well-being assistance to victims and survivors. I commend those groups, which have for years delivered those services directly to people directly affected by the conflict. We acknowledge and thank them for their commitment to improving the lives of vulnerable people who have been affected by that conflict, and, in going forward, it is important that we maximise the outcomes for victims and survivors from the resources that are available. I am aware that the commission's review of funding is under way, and I reiterate our focus on getting this right for victims. We thank the previous commissioner for her guidance on this matter, and we look forward to working with the incoming commissioner and the forum in the months ahead as we seek to build on the progress made to date.

I want to deal with points that were brought up during the debate. One of the main issues was in and around the moneys and the budget, because, obviously, that was what the debate focused on. I will come to the real source of the financial difficulties that we have to face across all Departments. We hear daily how this impacts on people in front line services and on people in our communities. The fact is that there has been a reduction in the block grant in real terms, and it has remained static at £10 billion over the years. Some Members have alluded to that. In terms of austerity and cuts to services, that is really what is at the heart of this debate.

4.45 pm

We need to look at a holistic way in which we can take forward how we deal with the legacy of the past and, in particular, deal with the victims and survivors in the way that we have a responsibility to.

Some Members brought up the Haass/O'Sullivan proposals. The compromise proposals that were brought forward had a holistic way of dealing with the legacy of the conflict and with the past. One of those proposals looked at the victims service, not just how it is run on a daily basis but how we can develop it and make it better. So, there are issues there. We have to look at it in the round. One Member mentioned bringing it into the talks that will hopefully be taking place soon and into negotiations.

It is about the budgetary position that we find ourselves in. I do not want to politicise the debate today because it is very important because it concentrates on the needs of victims and survivors. I hope that the House will send out a clear message today that we need to look at the austerity measures that are being implemented and the way that they are affecting services, because it is impacting on the most vulnerable, and who could be more vulnerable than victims and survivors of the conflict?

I am glad of the opportunity to respond to the debate. I hope that I have dealt with most of the Members' concerns, but, if not, I will certainly write to them if they want to ask me any more questions.

Mr Elliott: Obviously, it raises some emotion when we talk about victims, and rightly so. We need to concentrate on the actual victims. Some people here today have attempted to politicise the issue, but we want to bring the focus clearly back to the victims. The financing and monetary aspect of what gets to the victims is essential. I accept the principle, as some people have indicated, that more and more victims, individually and through groups, have come forward in recent years. I accept that. That is obviously a case for additional funding being required or at least that we ring-fence what is already there.

There are very few of us in here, and I would hazard a guess that most of us probably know of victims individually and personally and know them very well. Indeed, many of our families have been affected by the Troubles over the last number of years. I still find it extremely difficult and do not accept the premise that those who created victims and carried out the murders in our society should be put on a level playing field with those who they made victims of. It is extremely unfortunate that we are still in that position. The front line services and the support for those who are suffering must come first and foremost. We need to concentrate our focus on the people who continue to suffer the trauma and injuries of the past years and decades.

I was concerned about media coverage last week in which a whistle-blower criticised OFMDFM advisers and said that interference from OFMDFM special advisers in the Victims and Survivors Service is causing internal chaos and that there is justified anger and frustration among victims of the Troubles. The whistle-blower from the Victims and Survivors Service claims that departmental advisers are treating victims as pawns. The Victims and Survivors Service source said that service delivery is a near impossible task for Victims and Survivors Service staff, with the chaos primarily due to the relationship with OFMDFM. The proposer of the motion, my colleague Mr Nesbitt, highlighted the difficulties in the Victims and Survivors Service and the problems that we have encountered there with so many people leaving their

positions and posts, and I am not sure where exactly it is all going.

Somebody from this side said that they supported the proposal of the Victims and Survivors Service, and they gave credit to OFMDFM for bringing forward that service, and I do as well. The problem is that something has gone wrong somewhere in-between, and that needs to be resolved. I did not hear any realistic proposal today to resolve it. I find that to be a major difficulty on this side, and I am sure that it is no different for most Members here today. There is a frustration, and it is not just felt by me as a Member of the Assembly; that frustration is felt by the victims out there in the community.

As constituency representatives, we have people from victims' groups and individual victims coming to us with their queries, and some of their stories are heartbreaking. You hear how they have been excluded almost from society for years and how they have not had fair treatment. The compensation system that was administered during the Troubles was frightfully depressing. Some may have lost a husband. I know personally of a lady who was left with three young children, and she was offered pitiful compensation. That woman and her family were left basically to fend for themselves for decades. What way was that to treat this society's victims? I think that it was pitiful.

I will move on to some of the comments from Members. Mr Nesbitt proposed the motion, which, I am pleased to say, seems to have widespread support, if not a lot of criticism from Members here. However, it appears to be getting widespread support. Mr Nesbitt highlighted very constructively the difficulties in the Victims and Survivors Service. Hopefully, that constructive criticism will bring forward a better proposal and a better way forward. This is not about trying to score political points from the Ulster Unionist Party's point of view. This is about trying to do the best that we can for victims. I hear people laughing and smirking, and I know that Mr Spratt, Mr McIlveen and Mr Moutray were critical of the Ulster Unionist Party, but I suppose that I would not expect anything else. We are well used to that now; they feel that they must criticise the Ulster Unionists at every opportunity.

Mr Spratt: *[Inaudible.]*

Mr Elliott: Sorry, do you want to intervene? I will give way.

Mr Deputy Speaker: All remarks should be made through the Chair.

Mr Elliott: Mr McIlveen accused us of exploiting a group of people. I will tell you, Mr McIlveen, through you, Mr Deputy Speaker, that if anybody knows about the exploitation of victims, it is your party. Your party brought them to the gates of places where there were talks, to try to stop progress in this Province. Shame on youse or anybody who carried out that act.

Mr Spratt: That is the boy who was giving him a lecture a minute ago.

Mr Deputy Speaker: Order.

Mr Elliott: Sorry?

Mr Spratt: Giving a lecture a minute ago.

Mr Deputy Speaker: Would all remarks be made through the Chair, please.

Mr Elliott: Members of Sinn Féin — Ms McGahan and, I think, Mr Hazzard and others — were critical of unionists. All that we are trying to do is to do the best for victims.

Mrs D Kelly: Will the Member give way?

Mr Elliott: That is clearly all that we are trying to do. I will give way.

Mrs D Kelly: Would the Member agree that, over the last couple of days, thedetail.tv website had an excellent report where victims' voices had a platform? Surely this debate has helped with that process and given victims' voices an airing, which many people would perhaps prefer that they did not have.

Mr Elliott: I thank Mrs Kelly for that intervention. I have not seen that particular issue, but I have seen quite a number of productions that have been made by victims' groups, where they have been able to tell their story, and that is a crucial aspect for many victims, although not for them all. However, it is crucial for some of them to tell their story, because people have not listened to them for years. Therefore, that is vital, and if this adds to that opportunity, and if those people want to take the opportunity, that is fine; let them do that. However, behind it all, those who are suffering injury and trauma must get help and support, and we must make sure that they have every opportunity to get the medical attention that they need.

Mr Lyttle said that he wanted to play as straight a bat as possible, but he went on to criticise everybody and every party except the Alliance Party, so I am not so sure how that straight bat was being played. However, he made sure that he had a go at everybody else, although that is his right.

Mr Lyttle: I thank the Member for giving way, and that is a fair point. One of the key issues —

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

Mr Lyttle: Does he not have 10 minutes?

Mr Deputy Speaker: Apologies; one more minute.

Mr Lyttle: One of the key issues seems to be the accuracy of the facts. According to OFMDFM figures, the baseline budget for VSS has been reduced from £11·3 million to £10 million. Does the Member agree that that is roughly an 11·5% reduction, and will he offer OFMDFM an opportunity to advise where the figure of 4·4% comes from?

Mr Elliott: I will take the Member's word for that. Obviously, OFMDFM can respond to that in its own good time.

In the debate, we need to focus on the victims. We need to ensure that they have a positive outcome and that they get the best help and support that we can possibly afford them. Let us not turn this into the type of political quagmire that we often get into. Let us support the victims.

Question put and agreed to.

Resolved:

> *That this Assembly notes the current funding crisis being faced by the Victims and Survivors Service; recognises the grave concern that this is causing for many victims, survivors and support groups, leading to some of them having to close, and the genuine*

hardships being faced by many victims as a result; and calls on the Office of the First Minister and deputy First Minister to take urgent action to alleviate this situation.

Mr D McIlveen: On a point of order, Mr Deputy Speaker. As a result of over-regulation that was backed by one of the Sinn Féin Members of the European Parliament, 1,000 jobs are in jeopardy in my constituency today. I want to know how we could expedite a motion —

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

Mr D McIlveen: Further —

Mr Deputy Speaker: Order. That is not a point of order. The Member may wish to raise it through the Business Committee.

I ask Members to take their ease for a few moments as we change the top Table.

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

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Jobs: South Down

Mr Deputy Speaker: The proposer of the topic will have 15 minutes, and all Members who wish to speak will have approximately seven minutes.

Mr Rogers: In line with the current Programme for Government's key goal to develop the Northern Ireland economy, I welcome this opportunity to focus on how the objective is materialising in the constituency of South Down. I thank the Minister for being here to respond.

It is widely recognised that the growth and development of the private sector in Northern Ireland is much needed as we endeavour to build a strong, sustainable economy. Freeing ourselves from the shackles of public sector dependency to realise a more vibrant economic reality is, without doubt, our shared ultimate goal. The local economy in South Down is no different. At the outset, I place on record that this is not a debate centred on handouts or subsidies. It is about ensuring that the constituency of South Down is brought to a level playing field, enabling it to maximise its full economic potential. It is about ensuring that the constituency has access to the economic tools and levers that will allow it to contribute to the long-term economic well-being of Northern Ireland.

We believe that South Down has a distinct role to play in the development of a sustainable Northern Ireland. Magnificent landscapes, a proven culture of entrepreneurship, a highly educated workforce and a reputation for hard-working people are only some of South Down's many strengths. There is, unfortunately, no getting away from the economic realities of this time. We continue to be overdependent on the stimulus brought about by public sector employment and investment. The injection of public money into any constituency continues to be a major economic driver and crucial to the success of that local economy. It is, therefore, imperative that the distribution of public funds is carried out in a way that is fair and equitable.

Due consideration must be given not only to the immediate benefit of any spend but to its potential long-term economic return.

5.00 pm

One such major government spend is public sector employment. Like many places in western Europe, Northern Ireland has traditionally directed the majority of its spending to capital cities. The issue of relocating public sector jobs to peripheral regions has occasioned much debate over recent years. The Bain report of 2007 found that public sector employment in Northern Ireland accounted for 31% of employee jobs and 13% of the overall population. Bain went on to conclude that, on balance, there is a strong case for the movement of some public sector jobs in Northern Ireland. He added that that would help to create a better regional economic

balance by encouraging wealth creation and reducing economic disparity. We also believe that relocation has the potential to reduce social deprivation. Therefore, I declare my intention to continue the debate on the basis of the knowledge that the argument has been made and won on the urgent need to relocate public sector jobs fairly.

This year, along with my colleagues from South Down Chris Hazzard and Jim Wells, I had the privilege of hosting an event in Parliament Buildings. Headed up by Down District Council, it was specifically on the issue of public sector jobs in South Down. During the event, Mr Gerry McBride, the assistant director of customer relations at the council, highlighted the fact that Down District Council, along with its partners, was trying to encourage indigenous investment and create jobs in this difficult economic period. Those efforts, he said, could be undermined if the council continued to lose public sector jobs. We lost DVA jobs recently, and the ongoing haemorrhaging of services at Downe Hospital is having a major effect, as is the loss of the tax office in Newry.

Down District Council proposed during its presentation that the district, along with other areas with a low economic activity rate, be designated a preferred public sector development area. The new designation would be non-statutory, but it would be adopted policy for the public sector in Northern Ireland. I add my full support to that sound proposal. If adopted and utilised, it would assist in managing balanced economic growth across all regions. It cannot be right, for example, that departmental jobs are available in south Belfast at a ratio of one job for every 12 people, whilst in South Down the ratio slips to one job for every 227 people.

South Down is the most beautiful constituency in the North, and it continues to bear the brunt of the economic disparities highlighted in the Bain review. With a population of 108,000 recorded in the 2011 census, the latest economic and labour statistics for the region make grim reading. In the 16 to 64 age group, employment is about 66%. The median gross wage in Newry and Mourne is £427, which is 7% lower than the figure for Northern Ireland as a whole; in Down district, it is £341, which is a staggering 25% lower than Northern Ireland as a whole. With figures like that, it is not surprising to learn that Newry and Downpatrick were identified by Professor Bain as places that require investment.

The child poverty unit in the Department for Work and Pensions told us that, in August 2011, there were 4,660 children aged nought to 15 living in poverty in South Down. That equates to almost 20% of the children in our constituency. The statistics on child poverty are not simply numbers that we can allow ourselves to glance past, and any small or limited reference that I make to child poverty can only begin to skim the surface of the chilling reality and the consequences that it has on individual lives. For the purpose of the debate, however, I ask whether the long-term economic well-being of Northern Ireland can be on track when one in four of our children lives in poverty.

Not only has the constituency of South Down been unfairly treated in the distribution of public sector jobs, it has been overlooked by many of our Ministers at the Executive table. Opportunities have been denied that would have allowed South Down to develop and showcase its offering. The first of one or two examples is the Giro. South Down, particularly the Mournes, has proved to be one of the most desirable cycling regions in Northern Ireland. The natural beauty of the landscape, together with the unique contours of the road infrastructure, played a large part in hosting successful events such as the Etape Mourne in 2012. Like many others, I believed that the inclusion of the Mournes on the Giro map was inevitable. I look forward to the legacy of the Giro — the Gran Fondo. Could such an event eventually come here? The Somerset hills have seized the initiative for next year.

The second is the Irish Open 2015. There is no danger of me overstating my excitement and delight that the Irish Open will be played at the prestigious Royal County Down course in May 2015. Once more, I place on record my unreserved appreciation to the official hosts, the Rory Foundation, and to Rory McIlroy himself, whose brainchild it is, for making this dream event a reality. I also thank the foundation for its support for the Cancer Fund for Children and for the beautiful new Daisy Lodge in Newcastle. That is a charitable cause that is close to my heart. That is a true example of Northern Ireland bringing together one of its finest resources — Royal County Down — and one of its finest citizens — Rory McIlroy — and creating a world-class event. Together with the local community, I am eager to ensure that we maximise the potential return of that event in our local economy, but it concerns me that the Executive do not seem to have a joined-up approach to this prestigious event. Recently, I asked the Minister of Culture, Arts and Leisure about the support available for groups and for fringe events. She told me that that was the first time she had been asked about that, and I look forward to taking that a wee bit further with her when I meet her in the near future.

Thirdly, I bring to you the most scandalous failure to the people of South Down in the history of the House: the Narrow Water bridge. Each time that project is mentioned, we hear the inevitable blame games beginning, much talk of those from other Houses letting us down and shallow announcements of commitment and support being bandied about. Just let me remind you of the figures: South Down was denied €14 million on that occasion. That was at a time when our economy, particularly the building industry, was on its knees.

When we speak of tourism and acknowledge some of the great work that has had the support of the Executive, we are not on the same page as other tourist destinations on this island, never mind further afield. Maybe we have something to learn here. There is a marked difference between how the two kingdoms in Ireland are promoted: the kingdom of Kerry versus the kingdom of Mourne. Take one of the success stories here, namely the Titanic project. That has been a game changer, whereas in South Down we are in the second division. It took millions to create the Titanic project, but the beauty and unique landscape of the Mournes and St Patrick's country is free. Where we differ is in the marketing strategy. The Titanic project's marketing strategy is up there with the best, whereas, despite the best efforts of our local councils, the marketing of South Down is minimal. Take, for example, Saint Patrick's Trail, which starts in Armagh and transverses the constituencies of Newry and Armagh and South Down before ending up in Downpatrick. That project has the economic potential to be our Camino, but we do not even have signs on the motorway to indicate where the trail is. We have the product in the St Patrick's Trail, but again we fail to market it.

What about something like a cable car up Slieve Donard? Oh yes, we are expert at finding reasons why things will not work rather than being open to all the possibilities.

I repeat my earlier statement that this is not a debate that centres on handouts or subsidies. There are numerous examples right around our constituency of success stories, from the sole trader to large-scale employers. Just look at one of those that you are familiar with, Minister: the Kilkeel Strategic Partnership, which supports business development, creates employment and increases tourism opportunities. Local businesses have put their money where their mouth is to create a vision for Kilkeel harbour in 2020. The partnership hosted the First Minister and many of his Executive colleagues, but the project needs a little financial support from the Executive to make the vision a reality.

Far more needs to be done to ensure that South Down is offered a fair chance to address the economic disadvantages it faces. We are primarily a rural constituency. Our farming and fishing industries need ongoing support to market their products and realise the potential of Going for Growth. I acknowledge the improvements in broadband infrastructure, but there are still many "not-spots", particularly in rural areas.

The announcement of 800 PwC jobs is very welcome, but why are such announcements only ever for jobs in Belfast? Why is that not an option in South Down? How many of the recent job announcements have been about jobs in locations outside Belfast? There is increasing gridlock in the city, whilst our rural areas are allowed to wither. My children, like many others, have had to leave the area to find work. Emigration affects every family. The lack of employment is attacking the social fabric of the countryside. As George Bain indicated many years ago, we need to give our rural dwellers opportunities for local employment if we are really concerned about health and well-being and building a vibrant economy.

The mindset of those placed at senior decision-making levels needs to change. I call on my colleagues from South Down to stand up and join me in sending a message to our Ministers in the Executive and to Westminster that we are united in ensuring that the constituency will receive a fair deal in all decisions going forward. Under our watchful eye, we must collectively ensure that South Down is safeguarded against further disparities. More has to be done to allow the constituency to develop and grow its economic potential. Finally, I ask the House for its full support in moving ahead with an agenda to set up a preferred public sector development area, as I outlined earlier.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta Seán Rogers as an ábhar seo a ardú inniu.

I thank my colleague Seán Rogers for bringing this Adjournment debate to the House.

We are all here to support jobs for South Down. The first thing we want is the jobs that are currently there retained. We want public sector jobs and support for the growth of the private sector. We also want to see our small businesses supported. To date, I have to say, there has been an abysmal failure on the part of those in the Executive responsible for job creation. I agree with Seán Rogers about the importance of the location of public sector jobs and organisations in South Down. I pay tribute to my colleague Michelle O'Neill, who has said that she will decentralise the fisheries office. I understand that that is on target for 2015, and I think that it will make a significant difference because we all know how difficult it has been for our fishermen and fisherwomen. That sector has suffered very badly. Michelle O'Neill has also been very proactive in supporting farmers. I welcome that and encourage her to continue to do that.

I am certainly very proud of my record in education and the significant investment that I put in not just in South Down but right across the North of Ireland. During the four years, we put in £500 million in the capital programme alone, and South Down got its fair share of that. As a result of that, we have new schools right across South Down in all the sectors: Irish-medium, state, Catholic maintained and integrated. I welcome that. We should not lose sight of the fact that, when you put new school builds into a constituency, you get jobs on the ground from the companies that are building them and the continuation of employment for teachers and staff. I know that John O'Dowd is continuing that, and South Down has got its fair share in relation to that investment. You just need to look at the number of schools right across the constituency and, indeed, at those on the borders of the constituency and in neighbouring constituencies that service the children and young people of South Down. So we stand on our record.

South Down needs social and affordable housing. Every one of us, every day of the week, gets representation in relation to the lack of social housing. Ministers have failed to invest in social housing, and I do not think that any of us would argue that there has been enough investment in social housing.

It is a pity that the Minister of Health, who is from South Down, is not here today. I hope that he stands on his public pronouncements. I was at meetings with him in relation to the Downe Hospital. He was there arguing the same points as I was arguing, and I look forward to his support for the A&E unit and continued support for the Downe Hospital. The Downe Hospital would not have happened without Sinn Féin; it was Bairbre de Brún who made that decision. Sinn Féin has a strong policy of decentralisation and not just having Belfast and the bigger centres of population getting support. We look forward to Jim Wells. We will give him a couple of weeks in office, and we look forward to him giving the support to South Down that it deserves. Daisy Hill Hospital may not be in the South Down constituency, but it certainly services the people of south Down, and we want to see continued investment there.

5.15 pm

Tourism is a key driver for the South Down constituency. It is an area of outstanding natural beauty; on that I absolutely agree with my colleague Seán Rogers. To date, there has been a failure in investment in tourism. Invest NI is not investing as it should. South Down still does not have proper hotel provision. Accommodation is the biggest spend of any tourist, and yet we do not have proper provision because there has not been proper investment. We do not have the bridge at Narrow Water. We will have it. I and other colleagues are on a group that meets regularly in relation to that.

We need to see cross-border marketing — not the way in which the current Minister is acting, standing with her back to the border and pretending that we do not need to work

in an all-Ireland way. Of course we need to be working in an all-Ireland way. The Minister really needs to do a better job on that. Her approach leaves a lot to be desired.

We have a greenway in Mayo that is a phenomenal success. I do not see the support for a cross-border greenway that we should have, and I hope that we do get it. We have one from Omeath to Carlingford, and I would love to see that continuing across the bridge into Newry. Let us try to have a ring of Carlingford lough in the same way as we have the Ring of Kerry.

Broadband was mentioned. People have been contacting me from all areas of South Down, particularly rural areas. They cannot build businesses because they do not have broadband. Why do they not have broadband? Maybe the Minister can tell me. I know that recently — she can sneer and snigger, as is her form —

Mrs Foster (The Minister of Enterprise, Trade and Investment): I was not sneering.

Ms Ruane: — and try to interrupt across the House, but she will have her opportunity to speak. She needs to explain to people who are trying to set up businesses. I recently met someone who wants to set up a farm business. They do not have broadband. They cannot sell on the Internet because they do not have broadband. Their children cannot access it. I look forward to hearing what the Minister is going to do in relation to that.

Small businesses are very critical of the lack of support and the hoops that they are expected to jump through. Small businesses will be the backbone of job creation, and I would love to hear what the Minister will do to protect and support our small businesses.

I agree with my colleague that there is not enough investment in South Down, and we need to see a step change in what Invest NI is going to do and, indeed, I will be interested to hear what our Health Minister is going to do in relation to South Down. Go raibh maith agat.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the opportunity to speak in this important Adjournment debate, and I pay tribute to Seán for securing it. In fact, jobs, economy and health in South Down have been debated in recent months, which is good to see.

PricewaterhouseCoopers (PwC) recently published quite a patchy economic forecast for the North's performance as a whole. It is probably relevant to describe the economic performance of the Down district and south Down area as a whole as patchy as well. It is, perhaps, best summed up by the differentials in the ability of Newry Council to attract foreign direct investment compared to Downpatrick.

A lot of work has to be done. It does not all rest at the feet of the Minister, who is here to talk to it. A lot of it requires local solutions. Public services no doubt play an important role in Down, and I too welcome Michelle O'Neill's decision to decentralise public sector jobs. I have been in touch with the Justice Minister to ensure that the future of Downpatrick Courthouse is protected; it plays a central role in the town. However, we do not need to put all our eggs in the basket of decentralisation of public jobs. Although that is important, we need to look at rebalancing our economy in a way that suits the attributes and skills of people in South Down.

What do I think is the potential in South Down? There is no doubt that tourism is one of the main drivers that we need to harness, especially now, with the new councils coming together. For the first time, the Mournes, for example are in one district council area that will be controlled by one tourism department, which is very important. I probably remain to be convinced, though, of the validity of having a cable car up Slieve Donard. I will await the report, but we need imaginative ideas such as that from local sources.

We have very strong arts and crafts and artisan food and drink industries that need support. As has been outlined by Members, we have perhaps the most scenic natural environment of anywhere in the North — indeed, across the island. The link has been made twice already between the kingdom of Mourne and the kingdom of Kerry. There is absolutely no reason that the kingdom of Mourne and the wider south Down area should not be hitting the same tourism figures as the likes of Kerry in the South. Another aspect is the potential for film and TV investment. We already see the great success of shows such as 'Game of Thrones'. We need to be looking to build on that.

Another sector is agriculture. There is huge potential in our agrifood industry. I welcome the impetus that Michelle O'Neill has given to the protection of small farmers and small farming industries. In South Down, and for our hill farms especially, that is very important. What she is doing is great. I also pay tribute to her for the establishment of the Fishing Industry Task Force. That industry, and the North's fishing capacity, is more or less wholly situated in South Down. We engaged with the Minister last year over some of the difficulties with fishing. I am delighted that she established the task force. It is starting to work through a lot of the issues that exist in the industry.

For us to harness the potential of those issues, we need to ensure that the infrastructure at the base is right. We certainly need to look at the area of education, in which there has been great success. We need a greater focus on STEM and on the globalised market for subjects that our kids are doing nowadays . We need to build a sense of entrepreneurism among our pupils in school. To that end, I pay tribute to the former Education Minister for the ideas of the revised curriculum and the entitlement framework. That helps to keep people in education and gives them an understanding that success can be achieved through not just the traditional arts or the traditional professional and public routes into university but through starting an indigenous business locally in South Down.

We also need to see great improvement in infrastructure, especially in transport connectivity. We have gridlock on the streets of Downpatrick. We have what can only be described as a not-fit-for-purpose road from Newry to Downpatrick, which are the two major towns in the constituency. Of course, the Belfast to Downpatrick road is gridlocked in Ballynahinch and Saintfield. Those issues need to be overcome, as does the issue of communication networks. We have already heard about the broadband and mobile coverage. That needs to be seriously addressed, although I do pay tribute to the roll-out of the broadband provision over the next 12 months. We are going to see quite a big difference being made to the ability of local businesses to be able to connect to the World Wide Web.

We also need to harness the potential for all-Ireland infrastructure in South Down. Too often, we used to stare across Carlingford lough at each other and wonder

what the other side was doing. With the memorandum of understanding now in place between Louth County Council and Newry and Mourne District Council, we need to build on that. There is no reason that the Cooleys, Slieve Gullion and the Mournes cannot become a premier destination. My colleague talked about the importance of the greenway. There is absolutely no reason that we cannot have a greenway from Carlingford to Kilkeel.

This ties into the wider issue of the need for economic levers. The VAT issue for local hoteliers and the hospitality sector in South Down is very important, as is that of licensing hours. Every year, popular holiday destinations such as Newcastle are forced to shut down over the Easter weekend and turn away people who want to spend money on having a glass of wine with their lunch or dinner, and everything else. We seriously need to address that.

I welcome the chance to have been able to talk about this here today. I agree that public services and the decentralisation of public jobs are important, but we need to be careful not to rely on those as the stimulus for our local economy. They will not be. They play an important part, but we need to ensure that we have a very fertile ground for private entrepreneurism in the area.

Mrs McKevitt: I welcome the opportunity to discuss jobs, or, maybe more precisely, the opportunity to create and promote jobs, in my constituency of South Down.

We live in a unique part of the world. The Mourne country, with its rolling mountains and sea, is one of the most beautiful parts of Ireland. We are very dependent on certain sectors for employment, and farming, fishing, the construction industry, tourism, shipping and aerospace have taken a heavy hit over the last few years. We need help, and this House can help by ensuring that the VAT rate, for instance for the tourist and hospitality sector, is cut to match the rest of Ireland to give our people who have invested in the industry a chance. It can also help by having a more-targeted focus on our constituency, especially on emerging sectors like the creative industries and renewable energy.

I am delighted that the Minister of Enterprise, Trade and Investment has joined us for the debate. I commend her for tourism initiatives that she and her Department have championed and supported. I speak about projects such as bringing the Irish Open golf championship to Portrush last year and to Newcastle next May, with the real possibility of attracting the British Open here in the near future.

The World Police and Fire Games and Giro d'Italia were major successes, not just for what they generated during the events but for their legacies, the tourism entrepreneurship, new start-ups and business opportunities that grow from the confidence of hosting such global events. But Minister, like Oliver says, we want more.

I am aware that you were well-received at the British Ports Association annual conference hosted by Warrenpoint Harbour Authority in Newcastle last week. Much of the discussion during the two-day conference was about the success of Warrenpoint's first cruise ship in July and the real opportunities that that presents for the whole area, the port and the two young men who arranged for the Saga Pearl II to call in on its way home from Iceland to Southampton.

That exercise, or test, was not necessarily groundbreaking when compared with Belfast or Derry ports' cruise figures, but it proved that Warrenpoint had the capability to accommodate cruise ships. The unique selling points of Warrenpoint were appreciated and with help from the House and your Department, cruise liners on Carlingford lough could be a regular feature. It is something that we would all love to see.

There are many new and exciting opportunities presenting themselves regularly in the south Down region, many of which we do not capitalise on. One close to my heart, which my colleague Seán and others mentioned, was the Narrow Water bridge project. That would have created many construction jobs and boosted a struggling tourism industry. We cannot afford to miss out on real opportunities like that. As a matter of urgency, the south east coast master plan should be examined closely and delivered on.

Mr Hazzard: I thank the Member for giving way. Would she agree that more also needs to be done to include the GAA in tourism events organisations and advertisements? The Member no doubt was at the Down county final at the weekend. We have thousands of people attending these popular events, far more than a weekly attendance at a local soccer match, yet they never appear in any tourism advertisements.

Mrs McKevitt: Absolutely. The contribution that the GAA brings across Ireland, even across the whole world, is something that we have to recognise. It is an idea that the House should be trying to grow and promote the GAA at all times.

I have spoken about the prospects presented by supporting our creative industries. The star of the acclaimed film 'Philomena', Dame Judi Dench, spent four days filming in Killyleagh, Bryansford and Rostrevor. Rostrevor is also known as Narnia country. C S Lewis, in a letter to his brother, confided explicitly:

> *"'That part of Rostrevor which overlooks Carlingford Lough is my idea of Narnia."*

This part of the world should be promoted as a great film location. Not just the community of South Down but also the House should be able to promote that more.

I know that there are budgetary restraints. It is a difficult economic environment and money is tight; so we have to think outside the box in supporting South Down. But one thing I have learned is that when you have the product, you have to be able to sell the brand. We are asking that South Down job creation be put back on the map. We cannot direct the wind but we can adjust the sails.

Mr McCallister: Like colleagues, I thank Mr Rogers for bringing this important debate. I am also grateful to the Minister for attending. I know that she has other pressing issues on the agenda this afternoon.

5.30 pm

Like colleagues, everyone wants to see job creation in our constituency of South Down. We want to see how we deliver that. The main thing is going to be how we get balanced growth. It has been a problem across the entire UK. We have been very London- and south-east-centric and well out of kilter with other regions. How do we develop the region? When we come to the Northern Ireland level, how do we make sure that all of our job creation is not just Belfast-centric or in Londonderry? How do we make sure

that creation and innovation spreads out to the various constituencies and regions of Northern Ireland?

We do have things that are going well for us, which we need to tap into and build on. Colleagues have mentioned that. We have a great tradition in the public sector to do that. How do we get the share of decentralised jobs? We do not want to be solely fixed on that. How do we really drive the private sector? How do we use the Minister's Department to work in conjunction with the current councils and the new councils to drive that?

We must look at educational attainment, which has been mentioned. We need to look at that and ask why. Look at the last labour force survey in 2012 and the three council areas that touch on the South Down constituency. For those achieving NVQ level 4 and above, the Northern Ireland average is 27·9; Banbridge is at 21; Down is above it at 36, and Newry and Mourne is below it. For those with no qualifications, Banbridge is above the average. We need to address those issues and failings in our education system. What are we not tapping into? What are we not delivering?

People have talked about higher-value IT jobs. We need to question and address what we are doing in South Down. In answer to a recent question to the Minister, I was told that, in the last three years respectively, Invest NI has secured 28, 12 and seven jobs in South Down. Compare that with some other constituencies. In Lagan Valley it was 12, 71 and one. In Foyle it was eight, 212 and 200. Are we getting our share of balanced growth that we all want to see in South Down? We want to see it in South Down and across Northern Ireland.

Another answer is about tourism accommodation and Invest NI's role in investing that money. South Down's grand total over the last three years is £39,629. That compares to Fermanagh and South Tyrone, at £842,000 and North Antrim at £384,000. What are we not tapping into? I know that in the Minister's reply she may well point out that some of that is demand-led. That is a valid point, but what are we not doing in South Down that is not tapping into it? Are we not getting the linkages between Invest NI, the councils and local businesses to access that funding and make the point that we should tap into it?

Tourism is one of our big drivers. We have the St Patrick's Trail, the Mourne mountains and the Brontë homeland. I would appreciate it if the Minister would give her view on this specific question: are we now in a financial situation that could put Newcastle's Festival of Flight in direct danger because of the cuts to the Tourist Board support that drives that? If we are attracting 80,000, 90,000 or 100,000 people to Newcastle, losing that would have a devastating effect. Also, in the Banbridge district we need to address the failure to secure some of that funding despite applications. Their funding has been very much behind the curve on that. Will the Minister address the Festival of Flight and where we are at, in economic terms, on that?

Farming and fishing are two huge mainstays of the South Down economy and indeed of the Northern Ireland economy. We have to look at how we tap into some of the problems that the industry now faces with the EU sanctions against Russia and the cutting off of certain markets, the replacement of markets and how we find markets. The herring industry in South Down is facing particular difficulties, as I am sure that the Minister is aware. The price of milk is going down as a direct impact. How do we tap into the EU compensation package and make sure that we get that down onto the ground? That will have a huge impact on the South Down economy and indeed the Northern Ireland economy when you spread that out. The Minister will know that agrifood is a huge driver with the Going for Growth strategy.

I also point out that we will be coming to the end of the small business rate relief scheme. It is vital that we find a replacement for that scheme. It has brought into councils like Newry and Mourne District Council something like £3·5 million of savings on business rate relief. We need to look at how we do that and at the difficulties that our town centres, particularly those of our small towns, have faced. We need to look at how we do all of those things to make sure that we have a balanced, joined-up approach to delivering jobs and prosperity to the South Down constituency. I think that we should all be up for that. With the support of the Minister, councils and Members in this House, that is something that we should be keen to deliver on.

Mrs Foster: With your indulgence, Mr Deputy Speaker, before I turn to the important issue of the economic challenges in South Down, I place on record my concern for those people in Lisnafillan in Ballymena who have received the devastating news tonight that their jobs have been lost and that the JTI plant is closing as a direct result of the European directive on tobacco.

There is no doubt that much finger pointing will be done over the next couple of days. My concern is about the many, many families, some of them with two or three members who work in the factory, who have had that news delivered to them tonight. I give them my assurance that I will do all that I can to work with them and JTI to minimise the damage that has been done to the local economy and indeed to the whole of the Northern Ireland economy because, as I pointed out in a letter to Jeremy Hunt just last week, actually, there are 200 companies in the supply chain of JTI, which benefit to the tune of £20 million each year. Now, that is gone. This is a huge story tonight. It is right that the House should take account of it.

Turning to South Down in particular, I know that many in the Chamber share my concern at the recent closure of the driver and vehicle licensing offices in Northern Ireland and the resulting losses at Rathkeltair House in Downpatrick and indeed at the tax office in Newry as well. That was something that the SDLP Members and I had been very much involved in, given my connection with Enniskillen and Mr Bradley's connection with Newry. Unfortunately, that has now come to fruition.

Turning to private sector jobs, for which of course I am responsible along with Invest Northern Ireland: between 2009-2010 and 2013-14, Invest has made some 1,147 offers of support to businesses in the constituency. That amounts to £14 million of assistance and will lead to an associated total investment of some £60 million. The support of Invest has led to the promotion of over 1,200 new jobs, including those from the Regional Start initiative. We very much acknowledge the work that goes on locally with a lot of small businesses and a lot of people who are starting their own businesses across the South Down constituency. I want to thank my official from South Down who is here this afternoon and will have listened very carefully to the points that Members made about Invest NI and small businesses.

Many people in the region have benefited directly or indirectly from the new employment opportunities that are being created by Invest NI. One such company, of course, is Finnebrogue, which is creating 65 new jobs in Downpatrick following an offer of support of £233,000. Another is Clonallon Laboratories Ltd, a Warrenpoint medical supply company — a very innovative company — that I had the pleasure of meeting recently. It provides a wide range of custom sterile procedure packs, surgical instruments and medical supplies to the health care industry and recently won a contract to supply £250,000 worth of procedure packs in Kuwait. I hope that other orders will come from that region in the near future. We were able to help to support seven new jobs in management, administration and production roles in Clonallon, allowing it to build up its capacity to look for those rising sales.

Our help and support extends, of course, beyond job creation, and many programmes and interventions are aimed at improving the overall competitiveness of the economy. In South Down, over the last five years, that has resulted in just under 170 offers of support to help companies to engage in research and development or to invest in improving the skills of their workforce. It was Mr Hazzard who said that it was important that we have an element of self-help and look to the future to make sure that we have the appropriate skills in place. That is very much the case.

We continue to prepare and to make available land for economic development in South Down. Of the 280 acres of land we hold there, 67 acres are available to support economic development in sites like Carnbane business park. That significant investment is a clear demonstration of our commitment to South Down by holding or developing land for industrial use in locations where the private sector is unwilling or unable to do so. We proactively market those sites to foreign and local investors. I have been encouraged by the interest shown by businesses in acquiring land in Carnbane business park, with enquiries received from three businesses about locating to the new lands at the business park. We will continue to work with those interested parties.

As with most regions, South Down has not been immune to the impact of the economic downturn. A number of businesses have either had to reduce their workforce or take an unavoidable decision to close completely. Initiatives like the jobs fund provide support to business owners and new business starts across Northern Ireland. Where one or two jobs are available, we can come in and help to try to sustain jobs and to tackle rising unemployment. We have been proactive in addressing the economic downturn and have sought to provide fast-track support to help companies across Northern Ireland to deliver new jobs on the ground as quickly as possible. In South Down alone, the jobs fund has promoted 223 jobs, with 194 jobs created by March this year. Initiatives like the jobs fund and support for R&D projects encourage companies to bring forward activities that will enable them to compete more effectively and successfully, particularly in markets outside Northern Ireland. We are certainly not complacent about seeking to work with businesses outside our city centres and are engaging regionally to help businesses in more remote locations to grow and to develop.

Invest and our regional delivery partners are actively engaged in work across the constituency to encourage people to think about starting their own business. In the last five years, that has resulted in over 800 new locally owned businesses being set up in South Down. Most recently, Invest has been working with the local councils. The question asked this evening was this: what is it that councils can do to help themselves and to engage with Invest NI? I welcome those comments. As you know, when the new powers move from Invest NI to the councils, they will be more integrated on job creation. There is a real need, therefore, to have that close working relationship between Invest NI and the new councils. I hope that they will take the opportunity. We have been working with the councils, through the local economic development measure, to improve the capability of businesses in the area. That has been a good success. A collaborative approach to job promotion is the best way forward. I have said many times before in the House that, if people just stand back and think that they can leave it to Invest NI to create jobs, it is simply not going to happen. You need the right ecosystem and the right attitude in the area to create those jobs moving forward. I commend the work done with Down District Council, Newry and Mourne District Council and the Chamber of Commerce and Industry to progress those important economic issues.

5.45 pm

A lot of wide-ranging issues were raised today, and I will not get to some of them. The Member who said that the Giro not coming to South Down was a ministerial omission knows that that is not correct. We had many discussions about the issue, and it was the decision of the organisers that they would set the route. I hope that the Member will acknowledge that we had a good meeting on trying to take forward the Giro in the future, which we will continue to do. The Irish Open was mentioned, which is a very exciting opportunity that I look forward to next year. The fact that the Rory Foundation has come in behind the Irish Open opens up a lot of other opportunities.

I have raised the subject of brown tourist signs on the motorway with the Minister for Regional Development on a number of occasions. You will know the old arguments as well as I do. There is an argument that too much information on road signs confuses drivers. I take the view that, on major road signs, there is plenty of room for information, particularly about tourism. DRD and I have just agreed a policy, so I hope that you will see more openness on that matter.

Colleagues and I have been working with the Kilkeel Strategic Partnership. I think that there are huge opportunities there. I am pleased to see the way in which people in Kilkeel, particularly some of the fishermen's organisations, have taken up the opportunity to work with the renewable energy sector there, which I was able to reflect when talking to the British Ports Association at Slieve Donard last week. I commend Warrenpoint Harbour Authority for all the work that it did on that conference. It was a real shop window for the area, and I know, having spoken to the delegates, that they really enjoyed being in Newcastle and Warrenpoint. They were in Narrow Water Castle for one of their events and really enjoyed that as well. For many from the mainland, it was their first visit to Northern Ireland, and they said that they would come back

because they really enjoyed not only the hospitality but the conference and what was achieved at it.

I spoke to members of Warrenpoint Port about the development of the marina there. They have achieved planning permission and are keen to seek European funding. It is something —

Mr Deputy Speaker: Minister, you have had 10 minutes.

Mrs Foster: Am I over that? Sorry, I was not even looking.

Mr Deputy Speaker: It is very interesting, but conclude at some stage.

Mrs Foster: I had much more to come. I encourage Members to get behind Warrenpoint marina, which is a really good project and one that could be achieved, unlike the Narrow Water bridge, which unfortunately came out as uneconomic and therein lay the problem.

Ms Ruane: Shame.

Mrs Foster: The Member can say “shame” from a sedentary position. Her nastiness and rudeness never cease to amaze me, but there we are. I am happy to work with Members who want to be proactive and positive about the region rather than sticking their head in the sand.

Adjourned at 5.49 pm.

Northern Ireland Assembly

Monday 13 October 2014

The Assembly met at 12.00 noon (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).

Members observed two minutes' silence.

Assembly Business

Standing Order 20(1): Suspension

Resolved:

> *That Standing Order 20(1) be suspended for 13 October 2014. — [Mr Weir.]*

Thanks to the Speaker: All-party Motion

Mr Principal Deputy Speaker: I take this opportunity to extend my personal best wishes to Mr Hay. With the House's indulgence, I would like to say a few words. Members will note that our friend has written to all Members, and I know we share his regret that medical advice does not permit him to be with us today to allow us to pay tribute to him in person. It is probable that most Members will have difficulty remembering the precise circumstances in which he took the Chair and all he had to deal with throughout that period, and he deserves credit for leaving seven years later having retained warm respect throughout the political spectrum represented in the House and beyond.

Hailing from the same city, although he came from Londonderry, William Hay and I were friends for years before we came to the House. All who know him would say that he brought the same natural, pragmatic approach to seek agreement and avoid confrontation, which he used to great effect in Derry, particularly through his essential role in the discussions that delivered the highly successful parades agreement in our native city. He also brought those qualities to the Chamber, and it was absolutely the style that was required at that time.

If some Members think that it is daunting preparing to face the other side of the House during difficult debates, they should consider how it feels to be in the Speaker's Chair on those occasions.

In preparing for predictably difficult debates, he would have had a wise reflection on how best to handle the situation or, in his words, to keep the House between the hedges. For example, if a debate was going to be difficult and he had to take procedural decisions, he personally felt that he should see that through. Even if it meant a marathon session in this Chair, he thought that it would be unfair to ask the Deputy Speakers to carry that particular burden.

William Hay, as we have all found out, is a very difficult man to fall out with, but there were things that clearly vexed him. He would frequently be annoyed if he felt that disrespect was being shown in the House. He would also be annoyed if his efforts to reach agreement to resolve issues were not reciprocated, or if someone clearly was seeking confrontation. Most of all, his sense of fair play would be offended when Members would seek to draw him into party political rows or involve him in issues in which they knew that he either had no responsibility or could not respond to.

We should also mark today the work that William did to have the Assembly reach out and to engage with the wider community. Many of his personal initiatives brought thousands of people through the doors of this Building, and

Members know that meeting them was one of the parts of the jobs that he enjoyed best. Every year, he themed his St Patrick's Day dinners, not for Members or the great and the good but for community and voluntary causes. I know that many who came to them had never been here before and deeply appreciated the recognition of their work. Members will know that, in 2012, William hosted an open day to mark 80 years of this Building. Over 5,000 people visited on that one Saturday alone.

Finally, Willie would often sit in this Chair and call for good temper, courtesy and moderation; on occasions, until he was hoarse. These words, ultimately, sum him up as a man: he has served this House magnificently. We wish him a speedy recovery from his illness and a very happy retirement and best wishes for the future.

The Business Committee has allowed up to one hour for the debate, and each Member will have three minutes to speak.

Mr P Robinson: I beg to move

> *That this Assembly records its appreciation of the great distinction with which Mr William Hay has occupied the office of Speaker; congratulates him on the skilful manner in which he has upheld the dignity of this House; appreciates the wisdom, good humour and patience with which he has presided over its affairs; and expresses its warmest thanks to Mr Hay for his many services to this House; and unites in wishing him a long and happy retirement from the House.*

Mr Principal Deputy Speaker, I beg to move the motion in my name and that of other leaders of the House. I want to pay tribute to the work of former Speaker William Hay. I think that all of us will appreciate your comments, as someone who came from a very different background to William. Indeed, I have known William literally for decades, and I was convinced when the late Lord Bannside — Dr Paisley as he then was — appointed William to be our nominee for the post of Speaker that he would do an outstanding job. I also knew that doing that outstanding job, because he would regard it as essential to have an air of neutrality, would take him out of the normal party politics. That, in many ways, was a loss for the DUP but a gain for the Assembly.

He was the first Speaker elected by the Assembly. I think that all the others who sat in that Chair were appointed by the Government. William steered the Assembly through what has been a new era of politics in Northern Ireland, and he did so with skill, with good humour and, at times when it was necessary, with firmness. His door was always open to anyone, and, no matter what political party they supported, he dealt with them on an equal basis. Assembly Members placed their confidence in William the day he was elected as Speaker, and I believe that he repaid that confidence every day he was in office since then. As some of my colleagues have discovered to their cost, William has been scrupulously fair and impartial in his role.

The role of Speaker, of course, goes beyond work in this Chamber. You have pointed out, Mr Principal Deputy Speaker, the enormous workload that the occupant of the Chair has outside the sittings of the House, and William's work, I believe, is a service to the community in Northern Ireland and was carried out in an exemplary way.

Indeed, William proved to be a superb ambassador for the Assembly at home and abroad. He has played an essential part in the history of the Assembly. I am certain that everyone in the House wishes him well as he battles to return to full health. We have much to be grateful for, given the manner in which he presided over the House, and we give him our thanks for that role, which is best summed up in the words of the motion, which refers to the "great distinction with which" he carried out that role.

Mr M McGuinness: I, too, rise on behalf of my party to express our deepest thanks and appreciation for the tremendous leadership shown by William in the role of Ceann Comhairle, or Speaker, of the House. I had the privilege of nominating William as Speaker and have never regretted that decision for one minute. He never did anything that would make me regret such a decision, and I think that he has served the House with tremendous distinction, great fairness and incredible impartiality. I think that all of us recall those occasions when he was called on to effectively rebuke members of the party to which he had an allegiance. He was always very approachable, very friendly, very courteous and very civilised, and it was a real honour to do business with him.

Like the Principal Deputy Speaker, I come from the same city as William, and although we had different political allegiances, we always understood that, coming from where we came from, whether we called it Londonderry or Derry, that was our home and the place where we lived. Great efforts were always made by all of us to try to work in the best interests of the city and, generally, when we came to a House like this, in the interests of everybody in the North of Ireland.

Not many people know this, but William worked with my late father in Brown's foundry, an ironworks in Foyle Street in Derry, and the humble beginnings that both he and I came from have stood us in good stead in how we absolutely need to be civilised, courteous and very respectful of everybody in the House. He performed his duties in the House in an exemplary fashion. The way he represented the House outside the workings of the institutions in the Assembly was also exemplary. His contributions to foreign situations, whether in eastern Europe or travelling to represent us in the United States of America, were always done with great distinction. So, I am very proud, on behalf of my party, to say that we have no difficulty whatsoever in endorsing the message of thanks and appreciation to William and to wish him a very speedy recovery from the illness that he is presently battling.

Dr McDonnell: It is without reservation that I, too, on behalf of myself and the SDLP, endorse the motion before us today. I have to admit that it is with some sense of loss that we all approach today's circumstances and feel how unfortunate it is that, due to illness, our beloved Speaker was not able to announce his retirement here in person. We all wish Willie well. We hope and pray that his health improves and that, in due course, his recovery is complete. We want to thank him sincerely for the tremendous job that he did here.

Mr Principal Deputy Speaker, I echo your comments that Willie was a very difficult man to fall out with. He worked with all of us, and, even at times when we were disagreeing, he found civil ways of handling disagreement; perhaps civil ways that the rest of us would not have the patience to pursue.

He was always courteous and helpful. Others have referred to his exemplary chairing of the Assembly and to his efforts to bring consensus and stability, as well as to his carrying out the plethora of other duties that attach themselves to the role of Speaker.

12.15 pm

I will leave that and endorse what the two Members who spoke previously said, and, indeed, what you said, Mr Principal Deputy Speaker, and make a few personal comments. To me, Willie Hay was an honest and honourable man in everything that he did and said in his dealings with all of us. He did an outstanding job as Speaker, in every aspect of the job's responsibilities. He was open, honest and fair to all, and, I hasten to add, he was open, honest and fair even to those who were awkward and, at times, unhelpful and uncooperative. I was amazed continuously at how tolerant he was, and it is important to put that on the record. I certainly would not have had the patience.

He was a listener, and his door was always open to give and take advice. Frequently when I bumped into him in the corridor, he would say, "Why don't you come in and have a cup of tea with me? There are a few things that I want to run past you". That was a unique and very useful characteristic. It meant that, in his running and chairing of the Assembly in his job as Speaker, his antenna was sensitive. He was fully aware of the feelings and needs of everybody. In my conversations with Willie, he had a very clear vision of the Assembly's full potential and the potential of devolution to bring about significant progress and prosperity to all our people, particularly the people of a city called Derry.

He worked to develop a North/South parliamentary assembly —

Mr Principal Deputy Speaker: I remind the Member of the three-minute rule.

Dr McDonnell: — against the odds, and he overcame many obstacles. He hosted so many outreach events here to make the Assembly inclusive. His work in Kosovo and the Balkans has already been mentioned. Bringing the experience of the Assembly to that troubled region was very valuable and worthwhile. I wish him a very rapid recovery and a long and peaceful retirement.

Mr Nesbitt: I rise on behalf of the Ulster Unionist Party to give thanks to Speaker Hay for his years in the Chair and to express some sadness that those years have come to a premature close.

To some extent, the big challenge of the Speaker is to be the embodiment of the Chamber and to hold up a mirror to the other 107 MLAs and have them, to some extent, say, "Yes, you are a proper and true reflection of what I aspire to as a Member of this legislative Assembly", as well as to be an interface between the Chamber and civic society, and a very public face at that.

That is a measure of the gargantuan challenge of being a successful Speaker. Mr Hay rose to that challenge through maintaining the integrity of the Chair and also through an endless pursuit to establish and cement good relations with all Members. He allowed considerable scope on occasion, but he was equally unafraid to make a stand when a stand were necessary. Those who know Willie Hay will not be overly surprised at that position, because we are talking about a man who does deals — sometimes very difficult deals — honestly and in a manner that allows all the people whom he represents to reap the rewards. I think beyond the Chamber to his key role in the negotiations that made parades disputes a thing of the past in the city that he represented for no fewer than 33 years in council and here at Assembly level.

I had the pleasure of a professional relationship with Mr Hay for many of those years in my former role as a broadcast journalist. He was always an interesting and welcome contributor to television political debates, because he would always try to shift the focus, with the aim of a positive outcome. With the currency of the Chamber at a low, we all have good reason to thank Willie Hay for the dignity that he brought to the position of Speaker. We wish him well. We particularly hope that he recovers sufficiently to be able to take his seat in the House of Lords. I hope that that is a motivator for him as he returns to good health.

At this point, I also want to mention another Member who is resigning through ill health, Sue Ramsey. Ms Ramsey was nothing if not courteous and welcoming when I joined this Chamber in 2011. We both sat on the Enterprise, Trade and Investment Committee, and, in the early years, you could not get a paper between us on what we thought about the importance of the social economy. I know that my colleague Sam Gardiner felt the same about her work on the Health Committee.

The Ulster Unionist Party would like to wish both Sue Ramsey and Willie Hay future good health.

Mr Ford: Mr Principal Deputy Speaker, on behalf of my colleagues, I endorse the remarks made, including most particularly those remarks that you have made from the Chair, of good wishes and thanks to your predecessor in the sense of his once occupying that Chair.

There is no doubt that Willie Hay took on a very difficult task when he became the third Speaker of this Assembly. He was our first elected Speaker, but he proved that being elected to office did not stop him carrying out his duties impartially and fairly. He served this House well in the variety of roles that you have talked about. We all saw him in the Chamber as he sought to control us at times when we needed control. He did so generally with good humour and in a way that defused tension when, otherwise, it was quite possible that debates could have become very difficult.

When people had meetings in his office, he was always keen to ensure that things ran smoothly and everybody was treated well. It is perhaps a measure of the success in the period since 2007 that I think that I was in the office less to see Mr Speaker Hay than to see his immediate predecessor during those difficult times of suspension, but it did not mean that there was any less courteous a reception or any less understanding for the points that I wished to raise. Whether it was, "A quick word with David", or a, "Can I have a chat, Minister?", he was always a model of courtesy and of complete propriety in the way that he conducted his office.

He was also an exceptionally good representative of this Chamber. You mentioned the way in which he opened up this Building and ensured that it was seen as welcoming to many people, not just to the great and the good who

normally come to events, but he opened it up as widely as he could to the people of Northern Ireland.

He was always courteous in this Chamber, probably courteous to some who did not deserve it. He was always generous of his time, and he was always a man of integrity. Probably, once or twice, he got things wrong, but we knew that he was doing his best to ensure that this Chamber functioned and could be representative. Sadly, 107 of us probably need to learn lessons from him in the way that we conduct ourselves over the coming months.

There is no doubt that his own roots in Donegal and the work that he did in Derry were very significant in the part that he played in producing a better Northern Ireland, because there is no doubt that, as the man who represented Londonderry in talks about parading in Derry, he had a very significant role. Indeed, not that long ago, someone said to me, “What North Belfast needs is a Willie Hay”. Sadly, there is only one Willie Hay. He did his job in his city, and he did it to great effect.

Let us remember him and thank him, not just for what he did as Speaker here, but what he also did for the wider community in Northern Ireland; wish him a good recovery; and trust that, at some early stage, the voice of Derry and Londonderry will be heard in the House of Lords.

Mr Campbell: I am very conscious that this is not an obituary piece, because people keep talking in the past tense. I have probably known William Hay personally for longer than anybody in this Chamber. He was my election agent on a number of occasions, and he and I were both elected to the City Council in Londonderry in 1981. In fact, his mother was also a councillor at that stage and, within a year of our being elected, on the weekend before I was to propose his mother for Mayor of Londonderry, she passed away suddenly. Politics may well have been different otherwise, as, a short time after that, Mrs Hay may well have been proposed as a Member in the 1982 Assembly. As it turned out, I was proposed because of her unforeseen death.

William Hay and I were close colleagues for a very long time and continue to be so.

I was with him in hospital a few weeks ago, and, of course, he was his own self. He was still cracking jokes at anybody who crossed his path, and there was a joke to be had at the expense of anybody who came into the ward, who passed him or who said anything.

On his taking the role of Speaker, I knew that he would set aside whatever distinctions he may have had and that he would adopt and adapt to the role with relish. He did that, as many found to their cost. He adopted his position as the Speaker, and, as we have heard in the tributes thus far and as, I am sure, the concluding tributes will attest, he was and is a remarkable man.

We look forward to him making further progress with his health. We also look forward to the progress that he will make into the House of Lords, hopefully in the next few months. We hope that he will continue to make significant and substantial contributions there. This House will be at a loss with his departure, but another House will gain.

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas le William Hay, mar rinne sé obair an-tábhachtach mar Cheann Comhairle an Tionóil seo. I thank and join others in the House in paying tribute to the work that Willie Hay — William Hay; I think of him as Willie — did during his time as Speaker.

I was trying to remember the first time that I met William Hay. I think that it was in 1989, when he was the Mayor of Derry. I had a trade union activist from Nicaragua over at the time, and William Hay met him and very courteous. The next time that I had dealings with William Hay was when I was Minister of Education. He always chaired what were at times very fraught debates fairly and well. I would like to put that on record.

In more recent years, I have worked very closely with him in my position as Whip of my party and as a member of the Assembly Commission, the Business Committee and the North/South Inter-Parliamentary Association, meetings of which have taken place in Dublin and here in Stormont. I enjoyed very much the robust debates in all those organisations. Obviously, we have very different political viewpoints, but the debates were always very courteous and there was a respect for listening to the views of others.

I remember travelling with him to a meeting with the Scottish Parliament’s assembly commission with other members of the Commission. That was when I really got to see the William Hay with the dry wit. He was really looking forward to getting home after a busy few days. I really enjoyed his company during those few days and I know that others did as well.

I join others in wishing him a very speedy recovery. We look forward to seeing him again in these institutions.

Mr Weir: When a colleague of mine in North Down Borough Council stepped down, I described the occasion as being the closest he would ever get to being at his own funeral and hearing the tributes without actually being dead. There is a bit of an air to this and, to slightly misquote Shakespeare, I come to praise William Hay, not to bury him.

As others have mentioned, William came here with a wealth of experience. I cannot claim to have the same length of knowledge of him as either of the first two Members from our party who have spoken. I have known William since 1998 and served with him, first, as a Back-Bencher for nine years. His unique background has been mentioned. He is a Donegal Protestant whose political life, particularly as a councillor, was that of serving as a unionist in a city with a majority of nationalists. He brought his wealth of experience to the Chair when he took up the role of Speaker.

Mention has been made of the good humour that he brought to the role and the gravitas and the good order that he sought in the Chamber. At times, we have seen other institutions become bear gardens, and, given our past and the fractious nature of some of the issues that confront us, there was always going to be a danger of the Northern Ireland Assembly descending into one. William Hay has very much been the glue that has held us together to ensure that debates were held in good order. As was mentioned, that meant, from time to time, being tough on particular Members. Many of my colleagues behind me at times experienced frustration with the Speaker. In many ways, that is a sign of the strength of the man: he was prepared to be fair and impartial even if it meant annoying those who had been his colleagues.

12.30 pm

The role of Speaker is a little like that of a minister of religion. Some people think that the only role a minister performs is on a Sunday morning with the sermon and the service, but a lot of William's work was behind the scenes in the Speaker's office, where he smoothed over issues that arose. That has led to the smooth running of this place.

I have had the honour of serving with William on the Business Committee and the Assembly Commission, on which he gave sterling service in representing the Assembly to the outside world, encouraging people in Northern Ireland to engage with the Assembly and, on a range of difficult issues, always trying to show patience to different political viewpoints and parties and, when possible, trying to reach a situation in which there is consensus.

This is not the burial of William Hay but an au revoir, because he will move from this place to the House of Lords, where he will be able to bring that wealth of experience and make a solid contribution.

Mr P Ramsey: I thank you, Principal Deputy Speaker, for the opportunity to acknowledge Willie Hay's contribution.

As the SDLP Whip and as a colleague and friend from his constituency, Willie's contribution has been obvious to me. Only for his help, guidance and cooperation, we could not do our job as Whips. As Members said, "honesty" and "honourability" are the key words that the Speaker brings to the table. He brought passion, integrity, dedication and impartiality. As Caitríona Ruane said, he worked tirelessly at times when it was difficult, not only by working at the Assembly Commission and the Business Committee but by helping to bring to the table a working North/South Parliamentary Forum. His relationship with the Ceann Comhairle in Dublin was exceptionally good, and if we did not have that relationship, we would not have the forum. That forum is meeting soon.

There is also no doubt of Willie Hay's immense contribution to his constituency. The last violence in the centre of Derry was in 1999 and caused almost £2 million of damage. At that time, Willie Hay accelerated the process when others were challenging him for what he was doing, namely his engagement with the Apprentice Boys, the loyal orders, other political parties and the community and voluntary sector in the city. That brought reconciliation, resolve and compromise to the parades issue in the city. There is no doubt that Willie Hay will go down in the annals as the one person who inspired and brought people along with him.

I visited Willie at home recently, as other Members have done, and he is not at himself. However, as Gregory said, he still holds the same charm and dry wit. As a good friend, I say to him and Doris, his wife, that I wish him every health and happiness in his retirement. Lord Hay of Ramelton, as he will hopefully be known, will be a champion and advocate for the Derry and north-west areas as he takes up his seat in the House of Lords. On behalf of the SDLP, I wish Willie and his wife, Doris, the very best in the future.

Mr Beggs: I also support the motion. I add my appreciation of the work of Willie Hay not only in the Chamber but, as others said, in the other roles that are outside the administrative aspects of the duties of the Speaker's office. As an Assembly Member and as a Deputy Speaker, I have seen Willie perform those duties, and I have seen things from the other side. We all owe him our gratitude for the work that he carried out when he was in the position of Speaker.

"Due courtesy and moderation" was almost a catchphrase that Willie used frequently and encouraged the Deputy Speakers to use.

They were important because they had a calming role in the Assembly, trying to de-escalate situations for the betterment of the Assembly but also for the rest of the community, because there can be ramifications in the wider community from how we behave in this Chamber.

Willie Hay always tried to resolve issues amicably. Frequently he was successful, but we can be an awkward bunch and it is an impossible task always to do so. But he made every effort to try to do that for the benefit of the Assembly.

As Deputy Speaker, I saw some of the challenges that he faced in the decisions that he had to make. He carried out his duty honourably and wisely. Some Speakers from other devolved Chambers were interested in the different style he used — and, I would argue, the success that that style brought for the benefit of this Assembly. His good humour, as others mentioned, was a key factor. He skilfully managed things and defused situations, avoiding conflict.

I wish Willie Hay a speedy return to good health so that he will be able to enjoy a quality of life and more time with his family, and to contribute elsewhere.

Mr G Robinson: I have had the pleasure of knowing William Hay for over 30 years. Today is a sad day for Northern Ireland politics as William takes a less prominent role in everyday politics. His honesty, integrity, impartiality and humour will be missed by all in this House.

Since I first got to know William, he has never changed from the affable character whose word was his bond and who loved helping others, whether in this Chamber or further afield. Neither he nor I envisaged him taking such a prominent role in Northern Ireland politics, but the challenge came and he successfully stepped up to it.

We are all aware of his reasons for stepping down. I join the chorus of good wishes that follow William into retirement, if we can call it that, as I am sure he will take his seat in the Lords and be an active Member of that place. That does not, however, make up for the loss that this Assembly will suffer as William retires. No offence to whoever will be his successor, but William Hay will be a hard act to follow.

The people of the Foyle constituency have lost a strong and dedicated advocate, but we all acknowledge William's wish to have a slower pace of life. To William, I can honestly say "You will be missed", but I hope his retirement is long as he more than deserves it.

Mrs Cochrane: I echo the comments of those who spoke in acknowledging Willie's role as Speaker. In the Chamber, I always welcomed his fair and balanced approach. Indeed, I had direct of experience of him being politically impartial and dealing firmly with a member of his own party when behaviour had been somewhat unparliamentary.

As a member of the Commission, I had direct experience of the work he did as an ambassador for the Northern Ireland Assembly not just in Northern Ireland but further

afield. I travelled with him to Kosovo, along with the late David McClarty, a year or so ago. Once I managed to tune into their particular sense of humour, I had a good relationship on a personal level with them, too. We had a positive trip, and the manner in which he conducted meetings with senior members of the Kosovan Assembly and their Prime Minister could not be faulted.

I take this opportunity to wish him well and a return to good health as soon as possible.

Mrs Foster: Mr Principal Deputy Speaker, with the greatest respect to you and your Deputy Speakers, I will miss William Hay in this place. William and I had a very good friendship. We represented constituencies from the west of the Province and always worked closely. Very recently, I was in the city at his request to open a flower festival at Clooney Church of Ireland. He used to call on me to come along to a number of things in the city, and I was more than happy to do so.

He represented his constituents tirelessly. Whether it was the Memorial Hall, St Columb's Cathedral or some small issue up in Irish Street, Willie was there, always making sure that his constituents' voices were heard.

As a Minister, I will, of course, miss William's friendship and guidance. He was, as we heard, a fixer of problems who looked for solutions, and that should not be underestimated. The House will miss that.

As we heard, he had international standing. He went to Kosovo, chaired the Commonwealth Parliamentary Association, had many events here and many people visited this House of ours. Indeed, he opened it in a way that had never been achieved before. A lot of people have been through the doors of Parliament Buildings who would not have been here had it not been for William Hay's insistence that this was to be a place for everybody in Northern Ireland and, indeed, for all our visitors from overseas.

I join colleagues in wishing William, Doris and their family every success. I hope that he has a speedy return to good health, and I am sure that I will still be lobbied effectively, albeit from the House of Lords.

Mr Kennedy: It is an honour and privilege to join others in paying tribute to Speaker Hay. William Hay has had a long and distinguished political career, especially in the north-west, in local government and in the House. I have no doubt that it will continue, hopefully, in the House of Lords.

It would be unwise for anyone to underestimate Willie Hay's political shrewdness and abilities as a political operator. It can honestly and fairly be said that he made a very positive contribution to public life in Northern Ireland, not least as Speaker. We heard about his outreach work. As a Member and a Minister, I found him to be fair, impartial and open-minded. He tried to encourage common sense in the Chamber, which is no mean feat.

He has also been a great ambassador for the Assembly and Northern Ireland, but he was canny. I remember being at a St Patrick's Day White House reception, and Willie and I had sort of manoeuvred into a position close to the podium from which President Obama would address the gathering. Indeed, Willie engaged me as his personal photographer, in the hope that we might get a snap. In the end, we got close enough, and I managed to take a reasonable photograph— I tell the House that it is always advisable to have an alternative career — which Willie, I think, still hangs in his office or home. So, there was that side to him of being politically aware and able to use the situation to not only his advantage but to the advantage of the Assembly.

I thank him for his contribution, wish him well for a speedy recovery and a happy retirement, but I also hope that he makes a positive contribution in the House of Lords.

Mr Allister: My relationship with Speaker Hay had its moments. It was not entirely uneventful, and I do not think for one minute that I was always right and he was always wrong. He had a job to do that was not easy. I, too, had a message to deliver in a cold house for opposition, but I readily acknowledge that William Hay performed the role of Speaker with great sincerity and absolutely to the best of his ability.

I wish to record that, at all times outside the House, whatever had passed within the House, he was courteous and cordial in his dealings with me. That was something of the mark of him.

12.45 pm

It is with regret that I learn that ill health has overcome him at this point. I trust that he will make a full recovery and be able to enjoy participation in the House of Lords. I was thinking that it was just over three years ago, on one of those days when Speaker Hay had heard enough from me — you have all been there — that I dared to suggest to him that his peerage was safe, and so it turned out to be. I trust that he will make a worthwhile contribution there.

Given the bizarre governmental arrangements in the House, the role of Speaker in protecting the primacy of and accountability to the House is very important. There were many occasions when, on prompting, Speaker Hay had to remind Ministers that they should make important statements to the House, not to the media, and that they should answer questions within the time limits of Standing Orders, not months, or even years, later. Sadly, the arrogant disrespect from some Ministers continued in spite of those exhortations. A Speaker needs perhaps to show less deference to Ministers and to remind them that the House is the primary elected forum to which statements of importance should be made and that the rules of the House require questions to be answered when tabled. I trust that the markers —

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

Mr Allister: — that Speaker Hay put down in that regard will be heeded. I wish him well into the future.

Mr Agnew: I always found William Hay to be a very likeable man. I think that that comes across today in the Chamber. It was not his job to be likeable; he was there to tell us off when need be, but the fact is that he was able to do so and still maintain a good personal relationship with Members here. As has been mentioned, whatever went on in the Chamber was set aside when personal contact was made outside it.

I give my particular gratitude to William Hay because I saw him as a friend to the non-Executive parties. He did all he could, within the rules of Standing Orders and legislation, to make sure that our voice was heard. Whatever frustrations many of us may have about the structures of

the Assembly and the voice that it gives to opposition and non-Executive Members, he tried to facilitate them where possible. As we are all well aware, he is not responsible for the structures in which we act.

He brought a dignity to the office, which is important because the Speaker is a figurehead for the Assembly, and what he projects to the outside world is a reflection of the Assembly. Much has been made of the many public events that he hosted and the efforts that he made to make this a much more public Building. I particularly respect that, given that I grew up two miles from this place and had never set foot inside it until I worked here. I am delighted that people in the same situation who are growing up now will find this a much more welcoming and hospitable place than perhaps it was in the past. I thank Mr Hay for his role in facilitating that.

Much tribute has been paid to his manner and his way of seeking to bring agreement. That is why it is regrettable that perhaps the Speaker's office will be muddied when we debate the election of a new Speaker. It is important that it is a dignified role, particularly at a time when there is much loss of faith in these institutions. Bringing the Speaker's office into the remit of party political squabbles would be regrettable. I sincerely hope that will not be the case.

If we wish to pay tribute to William Hay and the role that he played here, we should do so by maintaining the dignity of his office. On behalf of the Green Party in Northern Ireland, I wish William Hay happiness and health in his retirement from this place and success in the House of Lords when he takes his seat.

Mr McNarry: On behalf of UKIP, not only do I say thanks to our former Speaker, I wish him a speedy recovery and time to enjoy his retirement from this place and secondment to another place. I also add my compliments to his staff, who served him well and were part of the service that we received from the Speaker's office.

One of the many compliments that one can give Willie Hay is that he will be missed; he was our behaviour controller in an effective and impartial manner. As a referee, I recall him making only one serious mistake, when he red-carded me and ejected me from this place. The fact that he did so in ruling on a Shinner's complaint still irks me, but I bear no lasting grudge against him.

He was ever the diplomat. He perfected that knack of listening to your beef and leaving you knowing fine well that you were going nowhere, but you really did feel better having had the conversation. As a Chief Whip, I found Willie to be wily, in that, on occasions when a Member sailed close to the wind, he would make it clear to me that the offending Member was treading a reprimand. That was a great trick, which meant that the Member in question inevitably fell out with me, the messenger, and thought that the Speaker was a great fellow all round.

He was, we must say, our elected and official Speaker of the Assembly: a real gentleman, a nice guy. He was nobody's fool; he was shrewd and a blooming good negotiator. He will be a very hard act to follow. He carried out his duties with dignity and with pride taken in the high office that he held, an office that we, in this House, elected him to fulfil. He leaves with our full confidence and genuine thanks for representing all our views when he called us to order. So I say good luck to him, and thanks.

Mr B McCrea: I share with Willie a background as a Donegal Protestant. His family and mine came from Manorcunningham, and we occasionally crossed on those paths.

However, my real memory of him comes more from his open-door policy to this place, which has been touched on by a number of Members. However, I am not really sure that people realise what a profound change it was to make this Building open to the public and to invite in people from all quarters — all parts of Northern Ireland — to come and see the Building for themselves. As a newly elected MLA, I just took that more or less for granted and embraced, with some passion, his wish to bring more people into the Buildings.

I remember that one of the first things that I tried to do was to have a gathering for young people that would end up with a fireworks display. It was something that, I thought, would be quite a reasonable thing to do, only to discover that there was something about Parliament Buildings, fireworks and some guy called Guy Fawkes that meant that such a thing was not really possible, never mind legal. The Speaker himself intervened to help to smooth out those issues, get things sorted out, and a good time was had by all. It was a testament to him; it was typical of the man that he would take such an interest.

I also think that part of his contribution, which has been mentioned by others, is that he did a really excellent job in the city of Derry or Londonderry, depending on what you want to call it. He helped to engender things for the Apprentice Boys and to get cultural recognition for all sides. It is a testament to him as a politician that he was able to do that.

I close by saying that there are a number of us who end up speaking last. It is maybe something about those of us who speak last that, from time to time, we have been in what is known as "the naughty corner", and the Speaker has had occasion to remonstrate with all of us. I was struck by Mr McNarry saying that he had been shown the red card. That is something that I never actually achieved myself.

Mr Campbell: There is time yet.

Mr B McCrea: There may well be time yet, but it is testament to the Speaker's good humour that he would occasionally have a word with me and explain that we might do things in a different way. Of course, you would take that guidance and try to work with him for the benefit of the entire Assembly. For that, I am really grateful.

It is a difficult job, and we want to try to give more representation to those who are not from the main parties. Willie did a very good job in very difficult circumstances. I wish him all the best, a speedy return to health and, of course, congratulations on his elevation to the House of Lords.

Question put and agreed to.

Resolved:

> *That this Assembly records its appreciation of the great distinction with which Mr William Hay has occupied the office of Speaker; congratulates him on the skilful manner in which he has upheld the dignity of this House; appreciates the wisdom, good humour and patience with which he has presided over its affairs; and expresses its warmest thanks to Mr Hay for his*

many services to this House; and unites in wishing him a long and happy retirement from the House.

Mr Principal Deputy Speaker: The House will take its ease while we change the top Table.

The Acting Speaker (Mr Gardiner) in the Chair.

Assembly Business

The Acting Speaker (Mr Gardiner): I know that many Members have had the opportunity to pay tribute to Mr William Hay, but I would like to take this opportunity to pay personal tribute to the retiring Speaker. Speaker Hay has set an excellent example for all future Speakers to follow. His unfailing courtesy, his wisdom in difficult situations and his fairness characterised his Speakership. He will be missed by us all, and I will miss him on a personal level. I wish him a full recovery, good health and happy times in the House of Lords. I am sure that the House will echo my sentiments.

Election of Speaker

The Acting Speaker (Mr Gardiner): Before we commence, I remind Members that the election of the Speaker will be conducted using the procedures set out in Standing Order 4. In accordance with Standing Order 4(2), I have taken the Chair as Acting Speaker and will preside over the election. I will begin by asking for nominations. Any Member may rise to propose that another Member be elected as Speaker. I will then ask for the proposal to be seconded by another Member, as required by Standing Order 14. If that occurs, I will then verify that the Member 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, a debate relevant to the election may take place in which no Member may speak more than once.

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

Mr M McGuinness: With your permission, I would like to nominate Mitchel McLaughlin as the new Speaker of the Assembly.

The Acting Speaker (Mr Gardiner): Do I have a seconder?

Ms Ruane: Aontaím leis. I second it.

The Acting Speaker (Mr Gardiner): Mitchel McLaughlin has been proposed and seconded. Is the candidate prepared to accept the nomination?

Mr Mitchel McLaughlin: I accept the nomination.

The Acting Speaker (Mr Gardiner): Are there any other nominations?

1.00 pm

Dr McDonnell: I propose John Dallat, Mr Acting Speaker.

The Acting Speaker (Mr Gardiner): Do I have a seconder?

Mr P Ramsey: I formally second that proposal.

The Acting Speaker (Mr Gardiner): Is Mr Dallat prepared to accept the nomination?

Mr Dallat: I accept.

The Acting Speaker (Mr Gardiner): Thank you. Are there any other nominations?

Mr Nesbitt: It is my pleasure to nominate Roy Beggs MLA.

Mr Gardiner: Thank you. Do I have a seconder?

Mr Kennedy: Seconded.

The Acting Speaker (Mr Gardiner): Is Mr Beggs prepared to accept the nomination?

Mr Beggs: I accept the nomination.

The Acting Speaker (Mr Gardiner): Thank you. Do we have any other proposals, Members? A number of Members have indicated that they may wish to speak. I remind them that they may speak only once in the debate. The Business Committee has agreed to allow each Member wishing to speak up to three minutes.

The time for proposals has expired.

Mr M McGuinness: Go raibh maith agat. Thank you for this opportunity to speak on the nomination of Mitchel McLaughlin as the new Speaker of the Assembly. I do so on the basis that this is consistent with the agreement that was made by my party and the then leader of the DUP and First Minister the late Dr Ian Paisley.

I also note that my nomination of William Hay at the beginning of this term of the Assembly was by agreement between my party and the Democratic Unionist Party that William would be the Speaker. In fact, that was an agreement that saw me nominate William as the Speaker, which was seconded by the First Minister.

Mitchel McLaughlin is well qualified to do this job. In the recording of a vote of thanks and appreciation to William Hay, a number of contributors said that he would be a hard act to follow. Indeed, that is absolutely correct, but if anybody can follow William, I believe that Mitchel McLaughlin is certainly well qualified to do so. He is a man of very high intellect. He is always civil and courteous. He is someone who I think has gained a huge level of acceptance right across the House. I think that he is well qualified to do this job.

I know that the eyes of the world — well, maybe not the eyes of the world, but the eyes of the world that we live in — are watching this House today to see whether we will be able to agree on who will be the Speaker of the Assembly going forward to the next Assembly election. I hope that people will honour their word. I hope that the expressed desire of all of us to recognise that the time has come for there to be someone from the republican tradition in the Chair will see the endorsement of this House in the next few short minutes.

Dr McDonnell: I am privileged to be able to speak on the nomination of John Dallat. I have no doubt that, in the interests of inclusiveness and building trust and confidence, the time has come for a nationalist Member of the House to become Speaker. For too long, the Assembly has not been reflective of the population it serves. But, Mr Acting Speaker, it is unfortunate that, whatever agreements were made, they were made to exclude many of us and did not involve myself or my colleagues in the SDLP.

Colleagues should remember that the three principal roles of the Speaker of the House are representational, corporate and procedural. As a representative of the Assembly, the Speaker will receive visitors on our behalf, promote our work, host events for us and open up the Assembly and its activities to members of the public, just as the recently retired Speaker did. Yet, in all the time that the Assembly has operated, we have been represented by only one community — the unionist community — which is not representative enough of the wider community that we all serve. While I do not think, and would not imply, that anyone in the House would dispute the absolute professionalism of our recently retired and beloved Speaker, Willie Hay, it is evident to me and my colleagues in the SDLP that the time has come for a nationalist Speaker in the Assembly.

When considering who would be best placed to represent the Assembly overall as Speaker, as leader of the SDLP, I am very clear that the outstanding choice is our nominee, John Dallat, MLA for East Derry. As a Deputy Speaker, John has served the Assembly and its Members well over the past seven years, showing leadership, integrity, impartiality and good judgement in all that time, and displaying the ability and capacity to take on the role of Speaker, as and when required. His long and dedicated service to the Assembly has given John Dallat wide and comprehensive experience of all the procedural and corporate functions of the office, which he would now fulfil with ease.

At a time when the Assembly and Executive are in crisis, as we head into talks to determine our future, it is even more crucial to have someone of the calibre of John Dallat as Speaker of the Assembly; someone who is not only eminently qualified for the role but who, as a nationalist representative, would ensure that both traditions in Northern Ireland —

The Acting Speaker (Mr Gardiner): Will the Member bring his remarks to a close, please?

Dr McDonnell: — are respected and reflected.

Mr Nesbitt: I recommend to the House Mr Roy Beggs, MLA for East Antrim. In doing so, I have listened carefully and attentively to the powerful arguments made by Members who spoke previously on behalf of their nominees. I hope that, during the debate, all parties will be equally open in presenting their case to the House before inevitably, it would appear, we put matters to the vote.

Roy Beggs is the right man at the right time for the role. The Beggs family, as Members will be aware, have been engaged in public service for a number of decades. Following his father, Roy became an elected representative of the House in the first election in 1998, successfully defending his seat in East Antrim at every election since then. Since the last election, Roy has served as a Deputy Speaker with great distinction. I believe that he has the values and attributes that the House requires at this time, not least an attention to detail and the right temperament; the sort of temperament that we heard described when we were paying tribute to William Hay. That sort of temperament is important. As I said in my previous remarks, we look to a Speaker as somebody

who will hold up a mirror in which we will see something of the values that we wish to see expressed by the Northern Ireland Assembly.

We talked about William Hay and his role of interfacing with civic society. In that respect, I remind Members of Roy's work, not least as Chair of the all-party group on the community and voluntary sector. He has that engagement already in his DNA, having represented the House in its engagement with broader society. He also has experience of chairing a number of challenging organisations. While a member of Carrickfergus council, he was also chair of the local district policing partnership.

In conclusion, Roy Beggs has the attributes, experience and commitment to take the House through to the end of the term as its principal Speaker.

Mr Ford: We have just paid tribute to our outgoing Speaker, and a key issue that was highlighted is the need for the Speaker to be seen as politically neutral and to distance himself from his previous party connections. There is no doubt that William Hay succeeded in doing that very well. There is also no doubt that, in recent weeks, Mitchel McLaughlin has clearly prepared himself for the role and has sought similarly to distance himself.

I believe that the deal that was struck at the start of this Assembly's mandate should be adhered to because it is the best way to depoliticise the role of the Speaker to ensure a smooth transition from the outgoing independent DUP Speaker to the current, effectively independent Sinn Féin Principal Deputy Speaker. Regardless of what I say to Sinn Féin on issues like welfare reform or the National Crime Agency, I believe that there is a fundamental issue that the House needs to allow people from all parts of the House to take senior responsibilities.

I must say that I was slightly surprised when Dr McDonnell suggested that Speakers had come only from one section of the community. I am not sure whether my colleagues John Alderdice or Eileen Bell would have seen themselves categorised as unionists in quite that way. When we met after the last Assembly election, there was a clear understanding that the post was to move in this Assembly term. Regardless of William Hay's illness, it appeared that he was determined to be a man of principle and honour and to live up to that. I believe that it is incumbent on those of us who remain to follow through and ensure that that deal is carried through.

I have to say to unionists that we are about to go into a series of talks. One of the issues on the agenda is the structural arrangements and whether the precise architecture of the Good Friday Agreement, whether or not modified by the St Andrews Agreement, is what we need going into the future. One issue that concerns me greatly is the blocking mechanism in the House for so-called cross-community votes, which stops movement forward on so many occasions. If I am saying that, and unionists are using very similar language, they need to realise what blocking Mitchel McLaughlin would do today. It would be a clear reinforcement of why nationalism will wish to retain that blocking mechanism. If we are to move forward, to depoliticise the Speaker and to ensure that we get more workable structures for the future, we should accept that the deal made after the last election should stand.

Mr Attwood: I wish former Speaker William Hay the best. At times, I had differences with the former Speaker, one of which was of a fundamental nature, but I wish him a full recovery and hope that he has a full role in the House of Lords in the fullness of time.

The election of the Speaker today can be a watershed moment. We should measure the next 10 minutes against whether or not it is a watershed moment for the Assembly and for politics. A number of candidates have been nominated, all of whom have their particular values and virtues, but, in the view of the SDLP, more than any other candidate, the election of John Dallat as Speaker would represent that watershed moment. The election of John Dallat would be a renewal of integrity and a recognition of a good public servant.

John Dallat has been a political representative for 37 years. There are people in the Chamber who have not been on this earth for 37 years. Over that time, he has shown insight, wisdom, intellect and judgement. We again say to people before they cast their vote in the next matter of minutes, think again about what John Dallat would represent for politics and for the Assembly.

The SDLP also recognises that there will be a watershed moment in the event that Mitchel McLaughlin is elected Speaker. We will first vote for Mitchel McLaughlin, but we believe that, if that does not prevail, the election of John Dallat should prevail. For too long, issue after issue in the Assembly and in Northern Ireland has been reduced to narrow deals. It has been about the division of spoils rather than the full public interest. John Dallat as Speaker would represent something and someone different.

1.15 pm

Mr Lunn: I support the comments of my party leader and the nomination of Mitchel McLaughlin to the post of Speaker. In doing so, I mean absolutely no disrespect to Mr Dallat or Mr Beggs. I am sure that both would make excellent Speakers, but it seems logical that the new Speaker should come from the largest nationalist party at this time.

I have been listening for quite some time, and I wonder what advice William Hay would give the House. We talked about his sense of fair play and negotiating skills. I am absolutely certain that William Hay would endorse the nomination of Mitchel McLaughlin, not because they both come from Derry or Londonderry but because it is the right thing to do. I hope that the House will follow that argument. I hope that we will confirm a nationalist, hopefully Mr McLaughlin, in the post. As I said, I mean no disrespect whatsoever to the other candidates. They have both been excellent Deputy Speakers, and I am sure that they will continue to be so, but I think that it is the right thing to do.

Mr P Robinson: Last week, I asked the two colleagues who represent my party on the Business Committee, Lord Morrow and Chief Whip, Peter Weir, to seek support to deal with this issue at a later sitting, but, unfortunately, the Committee determined to proceed today.

For me, the issue is easily defined. After a long period, the DUP and Sinn Féin completed negotiations on welfare reform with a package that respected all our interests. It allowed us to give support to the most vulnerable, who depend on welfare payments, while doing no irreparable damage to our public services by paying unnecessary penalties and operational costs. The deputy First Minister and I were both satisfied with that outcome.

The topic of welfare reform has now been put into the talks process that the Secretary of State is convening. Equally, the arrangements and modalities of devolution are on the talks agenda. The election of Speaker and of Ministers will be part of that negotiation as well. The talks are to begin very shortly, so both of these matters can be dealt with together. As we have already completed negotiations and reached conclusions on both subjects, we can ask the Secretary of State to front-load the talks agenda with these items. We are prepared to honour our existing agreements on both matters. So, hopefully, we can have some early success and come back here, perhaps in a week or two, and go through the Lobbies together on both of these matters.

Ms Ruane: Go raibh maith agat. I have to say that it is very disappointing to hear what is being said here today. First, there was never an agreement in relation to the matters outlined by the First Minister and leader of the DUP today. We had an agreement in relation to welfare reform, we had an agreement in relation — Martin McGuinness had an agreement, and it was publicly stated, in relation to Mitchel McLaughlin being elected Speaker.

Trevor Lunn nailed it: what would William Hay think about what is happening here today? The wrong message is being sent out. Even at this stage, I urge the House to think very carefully about what it is doing and what message is being sent out. These are power-sharing institutions and it is very important that we support the power-sharing arrangements. If people vote against Mitchel McLaughlin and against an agreement publicly stated by the leader of the DUP, that will send out the wrong message to the nationalist/republican community. I have to say that it is very disappointing for this side of the House.

Mrs Foster: Thank you very much, Acting Speaker. I listened carefully to the two proposers of the nationalist candidates here today. I am sure that they did not mean this, but what they said was that it was time for a republican or a nationalist Speaker. Of course, the Speaker should not have any affiliations. The Speaker may come from a republican or nationalist background, but, like William Hay, they should leave that at the door of the Speaker's office. However, maybe it portrays more of what they wanted from their candidates today.

Of course, the Member who has just spoken was not at the welfare reform negotiations, so I do not know how she knows what was agreed between the First Minister and deputy First Minister. A clear understanding was reached in those negotiations.

The proposal put this morning, first to the party officers of the Democratic Unionist Party and then to the Assembly team of the DUP, was passed unanimously by all present. I think that the DUP has again shown that our strength and confidence in what we are doing for this country remains very strong. Sinn Féin appears upset that it is not immediately gaining a Speaker in the British devolved Administration, but the leader and First Minister has made it clear that this party will stand by its agreement when the agreements have come to fruition, but that we cannot allow Sinn Féin to break agreements that have been made without sanction or, indeed, to engage in unacceptable behaviour. Every action or inaction will have an opposite reaction or inaction.

People are struggling to understand the morass that Sinn Féin finds itself in in relation to welfare reform, and this morning was another very good example of that. It can be summed up in a simple phrase, "We don't know how much welfare reform costs, and we don't care". That was basically the sum total of a 40-minute interview this morning from Sinn Féin.

Mr Acting Speaker, Northern Ireland deserves better, the House deserves better and the vulnerable people, whom the party opposite says it wants to protect, deserve so much better. So, let us get these issues dealt with. My party, under the leadership of Peter Robinson, will not be found wanting. It is up to others to see whether they will.

Mrs D Kelly: Thank you, Mr Acting Speaker. I had not intended to speak, but, as this afternoon starts to disintegrate, I am left with little choice but to express my dismay and that of my party at what we see as those cobbled-together back-room deals between Sinn Féin and the DUP fall apart so publicly. As we go into talks, there is a warning for anyone in any party who thinks that the two main parties will honour whatever agreements they have made behind doors at the exclusion of all of the parties. However, we can stand, support and hope for a better future. Today, we know that health workers, nurses, midwives and others are on the streets looking to have fulfilled the promises that were made to them in relation to their 1% pay rise, and here we are in the Assembly failing to agree on the appointment of a Speaker.

This is another historic day for Northern Ireland, in the context that so many define it, as a day when we see that the real fault at the heart of the Executive is fractured relationships and back-room and back-door deals. I hope, as we in the SDLP attempt to move society forward to do what is right and best for all the people of the North, that we see an end to the back-room and back-door deals. Let us have some honest engagement and inclusive politics as set out in the spirit and letter of the Good Friday Agreement.

Mr Poots: Thank you, Mr Presiding Officer. I think the party leader has set out very clearly the position and Sinn Féin should look at what is being offered to it as an olive branch. We are in a situation where relationships are not as good as they should be, and that is something for us all to take cognisance of because this House needs to give real and true leadership to Northern Ireland.

We look at others who wish to see this place not working because they would like to fill the void, and therefore Sinn Féin in particular, as we seek to move this issue forward, needs to reflect on its behaviour over the course of the last three years since an agreement was made. It needs to reflect on situations like Castlederg and on situations like Flax Street, where it glorifies those who planted the Shankill bomb. It needs to reflect on its management of situations around welfare reform and other circumstances. That is hitting people hard in Northern Ireland today and leading to redundancies, lay-offs and massive cuts.

This is not the way to do government, and we need people to step up to the plate. We are going into negotiations; let us go into negotiations in good faith. Let us hope that we can resolve this issue quickly, that we can resolve the issues around welfare quickly, and that we can look at how we deal with sensitive issues in our communities and which are causing hurt, hardship and misery to innocent victims of the Troubles. Let us see that we can provide real and true leadership in this Assembly as we move things forward.

Mr McCartney: Go raibh maith agat, Acting Speaker. First, I also send my best wishes to William Hay. I hope that he has a speedy recovery and that he will in the future provide good representation for the people of Derry, which he has done for a long number of years.

I add my words of support for Mitchel McLaughlin. Martin McGuinness outlined very clearly why and how Mitchel McLaughlin would make an excellent Speaker for this Assembly. Of course, I share the disappointment that the Democratic Unionist Party will not honour the public commitment that its party leader made on its behalf. I think that it is very noticeable this morning that not one of the people who was speaking on its behalf in any way suggested that there was not a public commitment. I think that people out there will well remember that commitment, and I think that all that we have heard this afternoon from the Members who have spoken so far was excuse after excuse for a reason for not fulfilling what was a very public commitment.

It is easy to list issues that people feel perhaps should have been delivered that were not. I could mention Long Kesh, which was a Programme for Government commitment, and we could talk about the letter from America. We can all make excuses, but we cannot ignore, nor should we forget, that there was a very public commitment made by the leader of the Democratic Unionist Party, recorded and broadcast to those who wished to hear it, in which he said very, very clearly that he would honour the commitment made by Ian Paisley, the then First Minister and leader of the Democratic Unionist Party, that Mitchel McLaughlin or a Sinn Féin nominee would be the person who would sit in your seat. Therefore, when people leave here today, they should be in no doubt that this was a commitment made and a commitment broken.

Mr Allister: Yesterday marked the thirtieth anniversary of the Brighton bomb, the attempt by the IRA to remove the very top layer of government of this United Kingdom. Today, we have a proposition that a member of a party, Sinn Féin, that, to this day, has not repudiated or condemned but rather has venerated that bombing and that bomber should take the top office in this devolved Assembly within the United Kingdom. Not in my name. That would be utterly offensive and utterly wrong. It would be wrong not just today or next week or the week after that or as some quid pro quo on welfare reform, but wrong per se.

1.30 pm

Someone from that ilk, justifying and refusing to condemn that bombing, to name but one, should not hold the post of Speaker in the House. Of course, more than that, the very candidate is someone who notoriously, on an RTÉ programme, when challenged by Michael McDowell, protested that the murder of Jean McConville was not a crime. To think that someone who held the view that the murder of Jean McConville, a lady torn from the bosom of her family to be tortured and butchered and buried in an unmarked grave for years, was not a crime should be elevated to the post of Speaker of the House. I trust that the House will never stoop that low.

Mr Agnew: Sadly, it appears that today will be another marker in the disintegration of these institutions that we have witnessed over recent weeks and months. This should be a formality. When I was first elected and we elected Mr William Hay, it was a formality; instead, we have seen it being thrown in as another negotiating point between two parties in disagreement. It is making the office of Speaker political and does, in my view, bring it into disrepute to do so.

Further, we have heard the idea that this would be the first nationalist Speaker, and I think that the point was made that William Hay was not a unionist Speaker but an independent Speaker from a unionist background. For as long as we continue to insist on putting so much weight on symbols in this society, we will be forever dogged by squabbles over which symbols and whose symbols take precedence. We need to move on from those petty squabbles; we need to give a dignity to the House and to the Speaker's office. It is right that positions such as that of Speaker are rotated among parties, and perhaps we need to formalise it. There has been talk of the negotiations that are to take place on the future of these institutions, but we cannot put a hold on the responsibilities that we have here until those negotiations take place.

We must ensure that we make these institutions work as best we can in the meantime, because we have a responsibility to the people who elected us to do so. In the negotiations that are taking place, we need to learn the lessons, and the lesson here is clearly that deals done behind closed doors are dodgy deals that cannot be enforced and cannot be open to public scrutiny. My call for transparent dialogue and public engagement to decide the future of these institutions, building on what we did in the Good Friday Agreement, has fallen on deaf ears. Again, we enter a process of negotiations behind closed doors exclusive to parties in the Assembly but, more importantly, excluding members of the public. That is a mistake, and I think that today is regrettable. We should be agreeing a Speaker without this level of debate. It should be a non-political post. Nobody has anything to win —

The Acting Speaker (Mr Gardiner): Time is up.

Mr Agnew: — other than a symbolic win in a war.

Mr Campbell: There is no doubt whatever that the House and the Assembly as a whole have made considerable efforts in recent years in terms of job creation and a whole raft of issues that it has not got the credit for achieving.

What it has got is criticism for the growing deadlock that has emerged. Does anybody here think that the election of a Speaker today will do anything to unlock that deadlock? No one believes that; no one is of that opinion. Unfortunately, the deadlock has grown and is growing.

That is why my party believes that the issues as a whole, including agreements reached between my party and Sinn Féin, whether on welfare reform or the election of a Speaker, should be resolved in the discussions that are about to be held. That would give a greater signal to the wider community that we are determined not to allow the deadlock to continue, because, let us be absolutely clear, there are many in our wider community who congratulated the republican movement when it was forced to cease its violence. There are some in our community who refused to recognise that it did it. We acknowledged that it did it. It does not get congratulated for doing it, but neither is it continuing to do it. We acknowledged that they had moved, but we need to have a consensus on how we move on from here.

The issue can, should and must be resolved in the context of the discussions that are about to be held. It is only in

that context that we believe that the impasse and deadlock can be broken.

Mr McCallister: The basis of all Western democracies tends to be the separation of powers between the legislative, executive and judicial branches, yet the role of the Assembly as a legislature is to hold our executive branch of government to account. When looking for a Speaker, that is the role that we should be looking at. We should not be questioning whether the person is unionist or nationalist or what party he or she comes from. We should be looking for someone who robustly defends the House as an institution and robustly wants the House to hold the executive branch of government to the fullest scrutiny. That is something that we lose when we debate these points and almost throw the issue into the mix of the wider political problems that we face.

There is no doubt that I want to see reform here, and I want to see the structures change to provide for an opposition. I want to make sure that this is the last time that we elect a Speaker in this manner. The DUP probably should follow through on its deal and arrangements on electing the Speaker, but, if Sinn Féin had arranged a deal on welfare reform or the Maze, should those commitments also not have been honoured? I am totally opposed to Sinn Féin's position on welfare reform. It is entirely inconsistent with being in government and with the responsibilities that a Government face, but that should not be part of the scramble to get elected to the Speaker's office.

The Speaker should and must be a gift of the Members of the House. It should not be a gift of the executive arm of government. The Speaker should be a gift, and the individual should be elected in a secret ballot by Members of the Assembly, not given out by the Executive Ministers or in a deal made through the talks process to get over the line on welfare and all the other issues that we face, including problems with the Budget. This is not doing the House any good; it is not building confidence in the community out there, which looks to the House and the Executive to provide leadership; and it is not good for representative democracy.

We need to get a Speaker who has the support of all the House. We need to move away from the language of asking whether he or she is a unionist Speaker or a nationalist Speaker. The Speaker should be a Speaker for the House. The Speaker represents the House on occasions and is the highest office holder in the Assembly. That should reflect the position.

Mr Wilson: Thank you, Mr Presiding Officer or Mr Acting Speaker or whatever your position is.

It is a bit unfortunate that this debate today will probably be presented as another example of the inability of the Assembly to get on with its business. However, I dare say that the decision today not to deal with this particular issue is essential if we want this Assembly to get back on track and do the things that are necessary, because we are at an impasse. We are not doing the business that we should be doing, because we are tied up with a Budget that has now been frozen and is being diminished as a result of inaction by this Assembly.

I want to make some things very clear: first, despite what one Member of Sinn Féin said, we have not pretended that there was no deal on the Speakership. That was admitted and accepted by the First Minister in his speech. Secondly, we have made it quite clear that we will honour any deals that we have made, but that requires all parties in this Assembly to do exactly the same. It is not a case of "You give us one thing and we give you the other". There is no point in our having a Speaker if we cannot resolve the impasse that this Assembly is presently facing. That does not require rewarding Sinn Féin for its intransigence, because this is the unfortunate thing: since this whole process started, Sinn Féin thinks that it can do things without consequence. That may have been the case when it was dealing with the Irish Government, the British Government and the American Government, but it cannot do that here. The real politics of this place is that, unless we work and, when we come to agreements, deliver on them, then this place will not work.

Let me make it quite clear: we will honour whatever deals we have, but that is dependent upon Sinn Féin being prepared to honour the deal that it had — a deal that, in its breaking, has damaged ordinary people in Northern Ireland. The only damage done by our refusal to implement this today is to Mitchel McLaughlin and Sinn Féin's pride. Its breach of agreements is hurting people right across Northern Ireland, and therefore it is essential that we get that sorted out. I trust that we will do that in the talks process.

Question put, That Mr Mitchel McLaughlin be Speaker of this Assembly.

The Assembly divided:

Ayes 47; Noes 12.

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F 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 A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Mrs Cochrane, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Boylan and Mr McKay.

NOES

Unionist

Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Noes: Mrs Overend and Mr Swann.

Total Votes	*59*	*Total Ayes*	*47*	*[79.7%]*
Nationalist Votes	*38*	*Nationalist Ayes*	*38*	*[100.0%]*
Unionist Votes	*13*	*Unionist Ayes*	*1*	*[7.7%]*
Other Votes	*8*	*Other Ayes*	*8*	*[100.0%]*

Question accordingly negatived (cross-community vote).

Question put, That Mr John Dallat be Speaker of this Assembly.

The Assembly divided:

Ayes 27; Noes 30.

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Unionist

Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Ayes: Mr Eastwood and Mr McKinney.

NOES

Nationalist

Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Other

Mrs Cochrane, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Boylan and Mr McKay.

Total Votes	*57*	*Total Ayes*	*27*	*[47.4%]*
Nationalist Votes	*38*	*Nationalist Ayes*	*14*	*[36.8%]*
Unionist Votes	*12*	*Unionist Ayes*	*12*	*[100.0%]*
Other Votes	*7*	*Other Ayes*	*1*	*[14.3%]*

Question accordingly negatived (cross-community vote).

Question put, That Mr Roy Beggs be Speaker of this Assembly.

The Assembly divided:

Ayes 14; Noes 30.

AYES

Unionist

Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Ayes: Mrs Overend and Mr Swann.

NOES

Nationalist

Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Other

Mrs Cochrane, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Boylan and Mr McKay.

Total Votes	*44*	*Total Ayes*	*14*	*[31.8%]*
Nationalist Votes	*24*	*Nationalist Ayes*	*0*	*[0.0%]*
Unionist Votes	*13*	*Unionist Ayes*	*13*	*[100.0%]*
Other Votes	*7*	*Other Ayes*	*1*	*[14.3%]*

Question accordingly negatived (cross-community vote).

The Acting Speaker (Mr Gardiner): A new Speaker has not been elected, so it will be necessary to return to the matter at a future sitting. The date on which we will return to the matter will be considered by the Business Committee. In the interim, plenary business will continue and will be chaired by the Deputy Speakers in accordance with Standing Order 4(7). The House will take its ease while we change the Table.

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

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Principal Deputy Speaker: We will start with listed questions.

Postal Services: Ministerial Response

1. **Mr F McCann** asked the Minister of Enterprise, Trade and Investment why she did not respond to the Assembly debate on 29 September 2014 calling for her to raise the issue of cross-border postal services at a forthcoming meeting of the North/South Ministerial Council.
(AQO 6820/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Postal services are reserved to Westminster under paragraph 7 of schedule 3 to the Northern Ireland Act 1998 and are not therefore the responsibility of my Department. The Consumer Council for Northern Ireland is funded by the Department for Business, Innovation and Skills to represent consumers on postal issues in Northern Ireland.

Mr F McCann: I thank the Minister for her answer. Does she accept that the unacceptably high cost of posting items across the border presents an unwarranted and unwanted tax on cross-border economic development?

Mrs Foster: This is a matter that has been taken up by the Consumer Council. As I understand, it is carrying out work in the context of the fact that it has been given these powers by the Department for Business, Innovation and Skills. Of course, it will respond to its sponsor Department when it has carried out that work. I have no doubt that it will also share its work with me and indeed with the Committee.

Mr Dunne: Can the Minister clarify the new role that the Consumer Council has in relation to postal services in Northern Ireland?

Mrs Foster: I have indicated that, since 1 April 2014, the Consumer Council for Northern Ireland has responsibility for consumer representation on postal services in Northern Ireland. Before that, Consumer Futures was responsible. The Consumer Council has taken on this role. As it is a reserved matter, the Department for Business, Innovation and Skills is providing funding of £255,000 to the Consumer Council for 2014-15 to undertake its consumer representation role in respect of postal services in Northern Ireland. As I understand it, its work plan for this year broadly covers three main areas: the launch of the council's new role and responsibilities for postal services; the post office network, which is a very important part of rural life in Northern Ireland; and mail and parcels.

English Visitors to NI

2. **Mr McNarry** asked the Minister of Enterprise, Trade and Investment what steps have been taken to increase the number of English families visiting Northern Ireland.
(AQO 6821/11-15)

Mrs Foster: Whilst I do not have details of English visitors, there were almost 1·2 million visitors from Great Britain in 2013, which was an increase of 13% on 2012. Great British visitors make up 56% of our total external visitors and are therefore a very important market for us.

Tourism Ireland has been highlighting visitor experiences that appeal to families, such as Titanic Belfast, the Giant's Causeway and Causeway coastal route, as well as our unique National Trust properties. It is using a wide variety of marketing tools to get its message through to GB families, including advertising on television, radio, outdoors, in cinemas, and in national and regional newspapers and lifestyle magazines.

It is important that Tourism Ireland, in my opinion, increases its activity, including in England, for us to see further growth in visitor numbers from Great Britain.

Mr McNarry: I thank the Minister for a very comprehensive and useful answer and speak well of her for the success that she has had in her own particular office and the contribution that she has made to tourism.

I had hoped that she might mention ferry services. In the light of that, would she consider undertaking a review of ferry services between England and Northern Ireland in tandem with a review of how we are attracting that potentially lucrative market in England, as that may give her the figures that I have been looking for?

Mrs Foster: We undertake cooperative marketing with the airlines and the ferry services. We work very closely with the ferry services that are in Larne and Belfast. I am quite happy to share those details with the Member, if those would be useful to him.

Mr Humphrey: I thank the Minister for her answer so far. What will be the impact on the Tourism Ireland budget, given the cutbacks in the Department's overall budget?

Mrs Foster: As you can imagine, Mr Principal Deputy Speaker, I have been looking very closely at the overall budget. As you are aware, we have come to some resolution on the in-year monitoring position. However, we still have to have a draft Budget for 2015-16. Once that happens, I will have more clarity on the issue. Tourism Ireland will face savings and, let us be honest about it, cuts, the same as any other part of my Department. That is done with regret, but it is something that I have to do across the Department.

Mrs Dobson: I thank the Minister for her reply. I am sure she will agree that the key to attracting more visitors from England, or anywhere else, is to promote a positive image of Northern Ireland. In the light of disappointing visitor numbers, does she agree that we need to review the current arrangements, where Tourism Ireland does not treat us as a distinct tourist destination to be marketed in Great Britain?

Mrs Foster: I am aware that there is some unease around the marketing of Northern Ireland in the Great Britain market by Tourism Ireland. I assure the Member that I am looking into that. Over the coming weeks, I hope to meet the chairman of Tourism Ireland to discuss some of the claims that have been made. With regard to tourism figures, we had a good year in 2013 in relation to visitors from Great Britain. The figures were up and, importantly, the spend was up as well. Not only do we have targets for the number of visitors, we have a very stretching target for

spend by those visitors who come to Northern Ireland. It is important that we continue to work with Tourism Ireland, the Northern Ireland Tourist Board and other partners to ensure that we get the maximum coverage. Our biggest market is GB, and we should not forget that.

Mr Allister: Did the Minister see a recent press article by the much-respected Kate Hoey on Tourism Ireland's efforts, if we could call them that, in GB on behalf of Northern Ireland? The article was particularly critical as to its inactivity. Does she agree that, unless and until we get the promotion of Northern Ireland within the rest of the United Kingdom into the hands of the Northern Ireland Tourist Board, we will continue to be plagued with this problem?

Mrs Foster: As I indicated to Ms Dobson, I am very aware not only of the claims made by Ms Hoey — I intend to follow up on that article with Ms Hoey and to talk to her about those claims — but of other claims. The Member will not be surprised to know that Tourism Ireland marketing Northern Ireland in Great Britain is not of my choosing. It is something that I inherited from the Belfast Agreement. Certainly, it is something that, I think, needs very close scrutiny. It is something that I will be looking at.

Jobs: FDI

3. **Mr Lunn** asked the Minister of Enterprise, Trade and Investment to outline the estimated number of jobs that will be created through foreign direct investment during the current financial year. *(AQO 6822/11-15)*

Mrs Foster: Invest Northern Ireland offers assistance to new investors to support the creation of new jobs, often over a period of three to five years, sometimes longer. It is the responsibility of the company to create the jobs at a schedule that supports their development and growth. Therefore, Invest NI is not able to meaningfully forecast the likely number of jobs to be created in any year. As of 31 March 2014, Invest NI has promoted 9,108 jobs from inward investors since the start of its current corporate plan in 2011.

Mr Lunn: I thank the Minister for that answer. I understand that the rules in respect of state assistance are going to change. Will the Minister comment on what complexities or challenges that might bring about?

2.30 pm

Mrs Foster: The rules for selective financial assistance and the amount of funding that we can give have already changed. We are still an assisted area in the European Union, but we are now curtailed as to how much repeat assistance we can give to those companies. As the Member will know, companies often came with 20 or 30 people, realised that we had a very good offering here and decided to expand further. If it is a large company, we will not be able to give that selective financial assistance in the future, but there are other ways in which we can support companies. We can look at skills and training in conjunction with the Department for Employment and Learning. We will look at how we can support people with research, development, innovation and tax credits, depending on the sector that we are talking about. So there are other ways in which we can help, but, if corporation tax were devolved to Northern Ireland, we would automatically have a step change as to what we could do.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. The Minister took the question in the direction in which I was going to take it: corporation tax. If and, hopefully, when corporation tax enabling powers come to the local Executive, what assessment has the Minister's Department done on the impact that a 12·5% corporation tax level will have on potential foreign direct investment that could come in its wake?

Mrs Foster: A number of studies have been carried out, not least by the Department and by the Department for Employment and Learning. If we are to have a huge spike in the number of companies that will be looking to Northern Ireland, we will want to ensure that the appropriate skills are available to those companies when they come. The economic advisory group, led by Kate Barker, has been doing some work in that area. We will be able to achieve some 50,000 jobs over a relatively short time, all things being equal. We will be able to provide the appropriate young people and skills that those companies will need. There is no doubt that it would be a huge boost to the private sector in Northern Ireland. We want to rebalance and rebuild.

Mr Anderson: I thank the Minister for her responses so far. What jobs have arrived through foreign direct investment since the beginning of August?

Mrs Foster: We have had a particularly good period. Over the past six months, we have had 1,200 new jobs by just 10 new inward investors. We are not talking about indigenous companies that have decided to expand or companies that are already here. They are new inward investors, and those jobs have come from Puppet Labs; Baker and McKenzie; Proofpoint; Alexander Mann Solutions; and Convergys. Those have all been very good announcements for right across Northern Ireland. We are pleased that those new companies continue to look to Northern Ireland for growth and expansion, many of them for the first time, into the European area.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. The Minister may be aware of a recently published DEL report looking into labour mobility. One of the challenges that it identifies is the lack of employment opportunities in rural areas and the move towards jobs in Belfast. How does the Minister intend to reverse that trend and ensure that an adequate number of jobs are created in places like Fermanagh and other rural areas, given the Programme for Government commitment to tackle regional imbalance?

Mrs Foster: I have been very pleased to make a number of job announcements in Fermanagh, most recently in G R White and Son in Tempo and Webtech in Enniskillen just a couple of weeks ago. I hope to make further announcements in the near future. It is about working proactively with those companies in the region to ensure that we portray a positive view of the region so that we are attractive to inward investors when they come to look at the area and to have a good product and available people who are willing to be positive about their areas. All that shows that we are moving forward, in particular in the south-west. I look forward to working with the Member to make sure that Fermanagh and the whole of the south-west is promoted in a very positive way.

Ms Sugden: Minister, how effective has the enterprise zone been in encouraging foreign direct investment in my constituency?

Mrs Foster: The enterprise zone in Coleraine has not yet been confirmed by Her Majesty's Treasury. It has been put forward by the Executive to Treasury for designation as an enterprise zone. So, it is too early to determine its impact in the area, but I am sure that those who have been working for the enterprise zone will want to ensure that it is in place as soon as possible.

Rugby World Cup 2023

4. **Mr Byrne** asked the Minister of Enterprise, Trade and Investment for an update on the progress of the North/South working group examining the key issues surrounding the hosting of the Rugby World Cup on a cross-border basis in 2023. *(AQO 6823/11-15)*

Mrs Foster: The working group has prepared a report based on its analysis of the feasibility study meetings with key rugby union officials and other relevant organisations. The Minister of Culture, Arts and Leisure and I have received copies of the report and are considering it. In agreeing to bid jointly for the 2023 tournament, I will wish to ensure value for money and be convinced of the economic benefits for Northern Ireland.

Mr Byrne: I thank the Minister for her answer. Given that rugby is a fantastic field sport played on an all-Ireland basis and that Kingspan/Ravenhill in Ulster, Thomond Park in Limerick, the Aviva Stadium in Dublin and the Sportsground in Galway are all dedicated to rugby, does the Minister accept that Ireland now has the infrastructure to make a real bid for the World Cup? What can she do with her counterpart in the Republic to try to advance that case with the rugby authorities?

Mrs Foster: It is on record that I am a supporter of Ulster Rugby. I very much want the Rugby World Cup to come to the island of Ireland in 2023. However, as I am sure that the Member would want me to do, I need to ensure that Northern Ireland gets as much out of this event as it possibly can. I will look at the report given to me in the context of making sure that a number of teams are located and based in Northern Ireland for the Rugby World Cup. We recognise that there are more stadiums available in the Republic of Ireland, but that does not mean that we cannot be creative about what we can do in Northern Ireland. If we are to assist in funding the bid, I certainly want to ensure that we get good value for money.

Mr Douglas: I thank the Minister for her answers so far. I am sure that the Minister will agree with me that Kyle Lafferty from Tamlaght in County Fermanagh is a great tourist attraction for Northern Ireland.

I want to ask the Minister about tourist attractions for Northern Ireland in light of recent debate about the tourism events fund. I recently attended Culture Night, which was a fabulous night for Belfast, and the Minister has been to the C S Lewis festival in east Belfast and is a big supporter of EastSide Arts, as is her friend Van Morrison. Will the Minister please give a progress report or an update on the tourism events fund?

Mrs Foster: I thank the Member. If Kyle Lafferty is listening to Question Time, I am sure that he is saying, "I have been called many things in my time but never a tourist attraction". Anyway, I congratulate the Northern Ireland football team on being top of their group. It is a very nice place to be, and we look forward to them continuing that success in tomorrow's match in Greece.

Events funding, of course, has caused a lot of angst, and I am the first to acknowledge that. We are facing a very difficult financial time right across government. Given the current budgetary climate and the knowledge that future years will be very difficult, it was necessary to review the position right across the Department. We need to take account of all the circumstances.

Ordinarily, people would be applying for funding at this time. I have heard some of the arts groups say that their funding has been cut. This application had to be made every year, so, in any year, there was no guarantee that these groups would be able to access funding. On every occasion, they had to apply in a competitive process.

At the moment, we do not have an events fund open call for next year. However, let us see what happens in the 2015-16 budgetary discussions over the next period. I would certainly like some sort of an events fund, but we will have to see whether the money is available for it.

Mr Cree: I would welcome the 2023 Rugby World Cup coming to Ireland, North and South. Does the Minister recognise that, with Northern Ireland now having a voice on the working group, there is an opportunity to emphasise that the Irish rugby team represents both jurisdictions and is not the Republic of Ireland's rugby team. That should be reflected in the Irish Rugby Football Union's attention to things such as anthems and flags.

Mrs Foster: I concur with the Member's view on those matters. It is my hope that the Irish Rugby Football Union will acknowledge the contribution that Ulster makes to rugby, because we make an incredible contribution to the Irish rugby scene. I hope that that is acknowledged in Dublin, as it is in Ravenhill, or the Kingspan stadium, which I have difficulty getting used to calling it, but I will have to get used to. It is a rugby team for both jurisdictions. Therefore, I was keen to ensure that we had proper representation on the working group. I am satisfied that we have that now. Once we have had the chance to consider the report, the Minister of Culture, Arts and Leisure and I will come together to decide if the current way forward is the best way forward.

Engineering

5. **Ms P Bradley** asked the Minister of Enterprise, Trade and Investment for her assessment of the contribution of advanced engineering to the local economy. *(AQO 6824/11-15)*

Mrs Foster: Advanced, or high-value, manufacturing makes a major contribution to the success of the Northern Ireland economy. My Department encourages and supports businesses that are capable of investing in knowledge-based, innovative technologies and developing capabilities that can ensure they remain internationally competitive and successful, supporting jobs and creating wealth in the economy.

We have many excellent examples of businesses that are investing in world-class facilities to sustain and build on Northern Ireland's strong international reputation and manufacturing heritage. Examples include Bombardier, Schrader Electronics, Magellan Aerospace and Wrightbus.

Ms P Bradley: I thank the Minister for her answer. The Minister mentioned Bombardier. We know that Bombardier announced significant job losses in September. Many of those workers are my neighbours in my community in Newtownabbey. Can the Minister comment on Bombardier and its importance in Northern Ireland?

Mrs Foster: I can indeed. On 10 September, Bombardier announced that it intended to make up to 90 permanent posts and 300 agency-employed staff redundant. That was a huge blow. I do not think that a lot of people realise that the company has six manufacturing sites in Northern Ireland: Airport Road and Airport Road West in Belfast; Dunmurry; Newtownards; Newtownabbey; and Monkstown. Currently, it has a workforce of around 6,300 people, making it the biggest private sector employer in Northern Ireland. It is planned that the redundancies will be implemented by the end of the year.

Despite the impending job losses, it remains encouraging to note that, in the past four years, Bombardier has increased the total workforce by over 1,200 people in Northern Ireland. So, whilst I accept that the announcement that has been made in relation to the restructuring of Bombardier globally is regrettable, Bombardier has a very strong presence in Belfast and continues to play a major role in virtually all the aircraft programmes across the world. I think that that diversity is part of its strength.

Mrs Overend: Has the Minister made any assessment as to how those changes in Bombardier will affect other businesses across Northern Ireland who support Bombardier in the aerospace industry?

Mrs Foster: The Member is absolutely right to reference the supply chain to Bombardier, because Bombardier has 6,300 direct employees, but many, many hundreds of other people are reliant on Bombardier in Belfast. We have a very strong working relationship with Bombardier. Invest Northern Ireland has a client executive embedded with Bombardier, so any changes in relation to Bombardier are fed directly into the system, and we will work with any companies that have difficulties.

I think that around 80 companies, particularly in precision engineering, rely on Bombardier. That is not taking into account the services that are provided to Bombardier; these are just supply chain people. So, yes, any time that there is a reduction in manpower in Bombardier, we look at the wider picture around the supply chain.

2.45 pm

Visa Restrictions

6. **Mr Anderson** asked the Minister of Enterprise, Trade and Investment for an update on the steps she is taking to relax visa restrictions to make it easier for tourists to visit Northern Ireland. *(AQO 6825/11-15)*

Mrs Foster: A new British-Irish visa scheme was launched by the Secretary of State for the Home Office, Theresa May MP, in conjunction with the Republic of Ireland's Minister for Justice and Equality, Frances Fitzgerald TD, on 6 October. This positive development was an action in the G8 economic pact and enables, for the first time, Chinese and Indian visitors to come to Northern Ireland through the Irish Republic on an Irish visa, as well as through Great Britain on a UK visa. This is very welcome news, and Tourism Ireland and Visit Britain will be working very hard to promote the scheme.

Mr Anderson: I thank the Minister for that response. It is certainly welcome news. Minister, can you give an update on what assistance your Department is giving to the international airport to help to encourage the introduction of new routes?

Mrs Foster: As the Member will be aware, direct connectivity into Northern Ireland is one of the priorities for how we grow our tourism numbers, and I am very much committed to increasing Northern Ireland's air connectivity. I have met and continue to meet Northern Ireland airports, and, indeed, I recently met the new managing director of the international airport, Graham Keddie, regarding the airport's route development plans. My officials are also in regular dialogue with our airports and, indeed, last month, we took a Northern Ireland stand at the World Routes conference in Chicago. So, we are out there and looking for new routes. We are trying to be innovative in how we attract those new routes to the international airport and, indeed, routes to the other airports. International connectivity is very much at the top of my agenda.

Mrs D Kelly: Minister, will you join me in welcoming the establishment of a new consul for the Republic of China in Belfast and also in welcoming the fact that the availability and accessibility for visas for travel will be much enhanced for visitors going both ways and, indeed, for the students at our universities?

Mrs Foster: Absolutely. I was unaware that we had a newly appointed consul, so I look forward to meeting him or her in the near future to talk about this because we know that people from China who travel far afield stay for longer and spend a lot of money. Therefore, we want to encourage them to come to Northern Ireland. In the past, there was confusion over whether they could come to Northern Ireland on an Irish visa and what would happen if they had an accident or whatever in Northern Ireland. I think that this clarity is a very strong piece for Tourism Ireland to take forward. If the Member has some knowledge of the consul, I very much look forward to meeting them.

Mr Kinahan: Have studies been done to ensure that, from these visa changes, we will benefit here in the North, especially Belfast International Airport and the city airport, to ensure that we lure people here rather than them always coming via Dublin?

Mrs Foster: I think that it is probably a mixture of both, if you do not mind me saying so, until we get the increased connectivity. Nobody is suggesting at the moment that we will be getting a direct flight from China into the international airport, so we need to work principally with Visit Britain to ensure that we get people to come across and they understand that the visa that they have for the UK covers Northern Ireland or, if they are coming in through Dublin, that they understand that they can come up to Northern Ireland. I think that that is the work that Tourism Ireland has to take forward because, as I said, the Chinese visitors are very important visitors. We want to welcome more of them and hope that they do visit Northern Ireland on their itinerary.

Tax Incentives: TV and Film Industry

7. **Mr A Maginness** asked the Minister of Enterprise, Trade and Investment what recent discussions she has had with the British and Irish Governments on the future extent and level of tax incentives for the film and TV industry on the island of Ireland. *(AQO 6826/11-15)*

Mrs Foster: Following the successful implementation of new tax incentives under the creative industry tax reliefs, the local film and TV industry can benefit from a group of corporation tax reliefs. These include the film tax relief, introduced in 2007; the high-end television tax relief; the animation tax relief, introduced in April 2013; and the video games tax relief, introduced from 1 April this year. My Department, working closely with Northern Ireland Screen and Invest Northern Ireland, was instrumental in securing these new credits, and I believe that the impetus now exists for a truly export-focused screen industry for Northern Ireland.

Mr A Maginness: I thank the Minister for her comprehensive reply. Clearly, this is an area for future development with massive potential. Is there any way in which the industry here could benefit from cooperation with counterparts in the Irish Republic? I think that, in the field of creativity, we have to use all the talents and skills that abound on the island of Ireland.

Mrs Foster: I thank the Member for his supplementary. Indeed, we will want to work with all countries, wherever the people are, so that we can increase our output. As the Member will know, I have increased the budget for NI Screen substantially so that it can take advantage of what is there at the moment. I had a very useful meeting with the director general of the BBC last week when he was over in Northern Ireland to try to encourage him to do more in relation to national output so that we can see more Northern Ireland productions right across the network, because I think that that is very important, too. Indeed, some colleagues from the Republic of Ireland are investing in Northern Ireland. I am thinking particularly of JAM Media in Murray's Exchange in Sandy Row. It came to do some work there to perhaps take advantage of the very good tax relief schemes that we now have in place for making productions.

Mr Principal Deputy Speaker: That brings us to the end of the period for listed questions, and we now move on to 15 minutes of topical questions. Ms Caitríona Ruane is not in her place.

JTI Gallaher: Job Losses

T2. **Mr Hilditch** asked the Minister of Enterprise, Trade and Investment whether the recent proposed job losses at JTI Gallaher will impact much further afield than the immediate Ballymena area, given that she is very aware of workers in his constituency with the BT38, BT39 and BT40 postcodes of Newtownabbey, Carrick and Larne. *(AQT 1582/11-15)*

Mrs Foster: I recognise that that is the case. One of those interviewed on BBC Radio Ulster on the day of the announcement was from Carrickfergus, as I recall, and he very clearly said that this is not just an issue for Ballymena but for further afield. The travel-to-work distance means that quite a lot of people will be impacted in a circle, if you like, right across the north-east of Northern Ireland. So, I understand that that is the case.

I further understand, having talked about supply chains earlier during the substantive questions, that many companies rely on JTI Gallaher for their businesses. Those companies will also be impacted. So, I have asked Invest Northern Ireland to do some work in and around that to ensure that we know which companies will be impacted by the closure of JTI.

Mr Hilditch: I thank the Minister for her answer. Will she, along with the Minister for Employment and Learning, do everything to ensure that the skills at JTI are not lost to the Northern Ireland economy?

Mrs Foster: Absolutely. The Member and the House will be aware that the Employment and Learning Minister and I have been asked by the Executive to engage with JTI. We hoped that we would be able to go up early this week. However, the company — we have to respect its processes — has others to consult before it speaks to us, and, therefore, it will be later on in the week. We will certainly go to Ballymena. I think that we very much need to engage in a skills audit as the first piece of work and see what we can do to help those affected.

Tourism Events Fund 2015-16

T3. **Mr Lyttle** asked the Minister of Enterprise, Trade and Investment how she can justify her recently announced 100% cut to and complete cessation of the tourism events fund for 2015-16, which threatens around 65 organisations across Northern Ireland that contribute to important events and festivals and do much for our tourism, society and economy. *(AQT 1583/11-15)*

Mrs Foster: It is not a question of justifying a 100% cut to the fund. I wanted to give clarity to people in the sector that we were in a position where we could not find the funding to give an events fund for 2015-16. If that changes in the near future — I very much hope that it does — we will put out a call. However, this is a time of the year when applications would not ordinarily be forthcoming and, therefore, I wanted to give them clarity in relation to the issue.

Mr Lyttle: I thank the Minister for her response. However, she will be aware that this threatens organisations, festivals and events that, for every £1 of funding that they receive, return £3 to our local economy. Can the Minister reassure those organisations that she values and understands the importance of that work to our society and economy and say what specific work she is undertaking to ensure a reinstatement of the fund?

Mrs Foster: The budget discussions will be ongoing from now until the end of October, and, if I can count on the support of my colleagues to put in place, as a priority, the reinstatement of the events funding, then the events funding will be reinstated.

This is about priorities and about making sure that we have the right priorities in place. I will be forwarding the priorities for my Department. I have heard some people say that the international funds should basically be robbed to try to assist the events funding. The first thing to say about that is that the international funds have a letter of offer and contractual commitments, and I am not in the business of breaking contractual commitments. The second thing to say about annual sponsorship is that people apply every year. They apply to the fund, and there is no guarantee of receiving funding every year. Everybody has to apply every

year and be assessed alongside all the other applications that come in. So it is a competitive process and while people may say that their funds have been cut, they do not have any funds any year until they apply to the fund.

Economic Recovery: Slowdown

T4. **Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment what re-profiling she is doing in her Department to assist businesses during this time of uncertainty, given that she may be aware of reports of a slowdown in the recovery of the economy. *(AQT 1584/11-15)*

Mrs Foster: I read the Ulster Bank monitoring paper this morning as I was coming up in the car. It said that, for the fifteenth month in a row, we are facing into growth, so I am not sure from where the Member is obtaining her information. I cannot say that Richard Ramsey is ordinarily the person who gives good news, but he continues to give good news from the Ulster Bank. Therefore, I can only take it as an objective analysis.

For the record — it is important to say this — the number of people claiming unemployment benefit has fallen by 12,600 over the last 20 months. That is a good-news story. As well as that, for the ninth consecutive month, we have had a rise in the number of jobs being created, so there is good news out there. Sometimes, I wish that people would try to give confidence, because confidence is the important thing to give to our economy so that people will spend to go forward and create more new jobs.

Mrs D Kelly: I assure the Minister that I did not pluck this out of the air, and there was an acknowledgement in the articles that I read that there has been recent growth. However, this is against the backdrop of public sector cuts and the redundancy schemes that are being discussed and the fact that we are still, by and large, a low-wage economy. My question is this: how is the Minister re-profiling the programme of work for the next six months and the next financial year in the light of the cuts that are threatening her Department and others?

Mrs Foster: Nobody can say that I have not been creating jobs in this economy over this last period. We had an Executive meeting on Thursday night to agree a loan from Her Majesty's Government to try to get us out of difficulties so that we can bring some sort of stability to the economy in Northern Ireland and avert crisis, and the SDLP did not support that. The SDLP felt it better that we should go into crisis rather than try to get stability into the Northern Ireland economy. I would rather have stability in the Northern Ireland economy than crisis at any time.

Mrs D Kelly: Answer the question.

Mrs Foster: I did answer the question.

Energy Costs

T5. **Mr Weir** asked the Minister of Enterprise, Trade and Investment what level of difficulty she believes high energy costs are causing, particularly for large companies in Northern Ireland. *(AQT 1585/11-15)*

Mrs Foster: This is a real issue, and one that I know Members from North Antrim are particularly concerned about, given the news from Gallaher over the past week. I have been working with the Utility Regulator to do some work on energy costs. There is a very net area that I can look at. I cannot look at wholesale costs, and I cannot look at a whole range of other issues. However, in the area that I can look at with the Utility Regulator, we are looking at that at present, and I hope to be able to say something on that in the very near future.

Mr Weir: I thank the Minister for her response. Obviously, we will be coming back to Gallaher with the question for urgent oral answer. What contributory factor did the energy costs have on the Gallaher decision?

3.00 pm

Mrs Foster: The Gallaher decision was more about two huge issues: first, the illegal trade in tobacco items; and secondly, the implementation of the European directive, which has had a huge impact. I will return to that during the Urgent Oral Question, because I think that it is important that Members not currently in the House and the wider community outside understand why JTI Gallaher has taken that decision. Of course, it is up to us to try to work through the consultation process to see whether there is anything that we can do about that decision, but those were the two big impacts.

Broadband: East Antrim

T6. **Mr Wilson** asked the Minister of Enterprise, Trade and Investment when is she expecting the report from BT that will indicate exactly where £15 million of investment in improving access to fibre broadband networks across east Antrim will be made, given that many people in that area, which has some of the worst provision, welcomed the Minister's news of that investment. *(AQT 1586/11-15)*

Mrs Foster: In relation to that fund, we have already received indication that that work will take place in eight phases. I do not have the information in front of me about when east Antrim comes on line, but I am happy to share that with the Member. He is right to say that we have invested hugely in telecoms interventions in the past, and we continue to do so, but, as he will recognise, it becomes more and more difficult to get to those at the edge, if you like, who need help with their broadband.

Mr Wilson: I accept that it is difficult, especially in rural areas, but I trust that investment will be made. Is the Minister aware that there are eight industrial estates across Northern Ireland, two of them in east Antrim, which currently do not have access to fibre-optic broadband? Those are not even being considered in this BT review. Does the Minister think that that is a wise decision in light of her industrial policy?

Mrs Foster: As the Member knows, I can only cajole and try to influence BT on its commercial applications, but he is right to raise the issue of industrial parks. If we are to look at new ways of having inward investors look at industrial parks, then we must have a good offering for them to look at, and that includes having connectivity and broadband accessibility. It is something that I am looking at with Invest Northern Ireland to see whether there are any interventions that we can take.

Ulster Orchestra: Challenges

T7. **Miss M McIlveen** asked the Minister of Enterprise, Trade and Investment to comment on the current

difficulties and challenges facing the Ulster Orchestra, given that she will be aware of the substantial contribution that the orchestra makes to Northern Ireland. *(AQT 1587/11-15)*

Mrs Foster: Like the Member, I had the great pleasure of listening to the Ulster Orchestra last Wednesday evening at a BBC concert. It makes a substantial investment in Northern Ireland through its cultural grasp. It engages in a wide range of activities. Actually, when I was looking at JTI Gallaher, it did not escape me that it has been the orchestra's principal corporate sponsor in recent years, so, not only is it facing difficulties with its government funding, it is also unfortunately now facing difficulties in its corporate funding. I am a great supporter of the Ulster Orchestra, and I very much want to see it survive.

Miss M McIlveen: I welcome the Minister's comments. I am aware that the funding of the Ulster Orchestra falls outside DETI's remit, but the Minister will agree that the brand of the Ulster Orchestra is important to the marketing of Northern Ireland. Is the Minister in a position to give any assistance to the orchestra at this stage or in the absence of any help coming from DCAL?

Mrs Foster: I am happy to work collaboratively with the Member and with DCAL in looking at some imaginative ways to help, but the principal funding, as she will understand, will still have to reside with the Department of Culture, Arts and Leisure. I hope that its Minister realises the importance of the Ulster Orchestra to Northern Ireland.

Mr Principal Deputy Speaker: There may not be time for a supplementary, but I call Mr Joe Byrne.

Inward Investment: North-west

T8. **Mr Byrne** asked the Minister of Enterprise, Trade and Investment what progress is being made in attracting inward investment to the north-west, particularly to Strabane, which has suffered greatly from unemployment over the years, and to Derry city, given that there is great concern about having balanced regional development across Northern Ireland. *(AQT 1588/11-15)*

Mrs Foster: There is, but, as the Member will know, Convergys has announced 333 new jobs for Londonderry, and I was very pleased to be present for that announcement. We are also engaging with others who are currently assessing the city and region for new inward investment. I hope that a good, positive message comes forward from all the representatives in that area to ensure that we can land that proposition and do not blow it away through negativity.

Mr Principal Deputy Speaker: I call Joe Byrne for a quick supplementary question.

Mr Byrne: I thank the Minister for her answer. Does she accept that it is very important that Invest Northern Ireland gives every encouragement to any would-be investor that may be attracted to Strabane or Derry? Does she also accept that the necessary support and the financial backup is vital for potential job creation projects?

Mrs Foster: I could give a very short answer and say yes. However, I will also say that Invest Northern Ireland offers very attractive figures for those who want to invest outside Belfast. If the Member looks at the figures that we have offered to some of the inward investors, he will see that.

Environment

Mr Principal Deputy Speaker: For Members' information, questions 1 and 12 have been withdrawn.

Road Fatalities

2. **Mr McKinney** asked the Minister of the Environment what steps he is taking to address the number of fatalities on roads. *(AQO 6836/11-15)*

Mr Durkan (The Minister of the Environment): I am extremely concerned by the number of road deaths this year. My sincere sympathy is with all the families and communities affected by those tragedies.

My Department continues to take a range of actions to reduce deaths and serious injuries on our roads. We focus on the principal collision causation factors and the groups that are over-represented in the casualty figures. Those are a key focus of the road safety strategy to 2020. Over 100 of the 224 action measures in the strategy have been completed, and they address issues including changes to road engineering, changes to the driving test, and the setting up of a PSNI collision investigation unit.

My Department has also completed analysis of the reasons for the fall in road casualties in the period 2009-2012. That work concluded that the effects of the recession played some part, directly or indirectly, in the reductions in NI road fatalities in the period. However, based on the available evidence set out in the paper, the economic situation could not be said to be singly responsible.

The effects of the recession appear to have included more fuel-economic driving, which would have seen a reduction in speeding and an overall reduction in distances travelled. The recession may also have led to a reduction in drink-driving. Economic factors could also account for the reduction in young male drivers. In those indirect ways, the recession may have reduced road fatalities, despite counter-factors such as an increase in the age of the vehicle fleet. Previous recessions in Britain have also seen reductions in road fatalities.

I launched two new road safety campaigns this year, which address cyclist safety and inappropriate speed. We are also developing a strategy to improve motorcyclist safety and are taking forward a fitness-to-drive review to consider the factors that increase risks for older road users. I believe that those measures, along with others that are carried out by my Department and our partners, will help to save lives on our roads.

Mr Principal Deputy Speaker: I remind the Minister about the two-minute rule.

Mr McKinney: I thank the Minister of his fulsome answer. My supplementary question touches on the recession, but in another way. What implications would cuts in departmental budgets have for measures to improve road safety?

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr McKinney for his question and his supplementary question.

As a Budget for 2015-16 has not yet been agreed, I cannot provide a full assessment of how resource pressures will impact on any area of my Department or on my road safety partners. However, I remain fully committed to working

with stakeholders to improve road safety and to reduce casualties and, particularly, of course, fatalities.

Reductions in funding will make a number of activities more challenging, including the creating and airing of road safety advertising by DOE, roads maintenance and improvement by DRD and on-the-ground enforcement by the PSNI and the Driver and Vehicle Agency. The financial situation will require us to continue to work in a joined-up way across government and, indeed, society to do things that make us all, as road users, improve our behaviours. That is a challenge to which my officials and their colleagues in other government and community organisations are already rising, with, for instance, extensive engagement on cycling, motorcycling and enforcement.

Ms Lo: There was a recent cut to the road safety grants programme for the voluntary and community sector, even though letters of offer had been sent out to recipients. That grant has been stopped. Does the Minister recognise that his party's position on welfare reform is leading to cuts in vital services such as road safety?

Mr Durkan: I thank Ms Lo for her question, but it is somewhat misdirected. I recognise the value of the work that organisations carry out through the grant to which she refers. However, I fail to see any correlation between welfare reform, and the current impasse around it, and budgetary positions. It has been well publicised — Ms Lo's ministerial colleagues may have shared this with her — that the decision taken by the Executive just last week on the loan has kicked the welfare reform issue down the road. The cuts associated with the impasse on welfare reform have not been seen yet.

We are all seeing cuts, and I am sure that we all regret that we are seeing them. All Ministers regret any cuts that they have to make in their Department, and I particularly regret any cut that might have a detrimental impact on road safety and put people's lives at risk. However, the cuts are the outworkings of a flawed Budget that was voted for in the Assembly almost three and a half years ago. It was a four-year Budget that was not fit for purpose: it is never possible to vote for a four-year Budget that will still be fit for purpose four years later. However, that has nothing to do with welfare reform and my party's position on it.

Mrs Cameron: I thank the Minister for his answers thus far. In light of the very many fatalities, especially this year, how effective does he deem the very graphic and expensive television adverts, which are part of campaigns to cut road deaths, to be? It is to be seen how effective they are. Does he appreciate that those campaigns can cause families of victims great distress?

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mrs Cameron for her question. She correctly referred to the high number of deaths this year, which stands at 62. We must bear in mind that, five years ago, we had 115 deaths in one year. Improvements have been made, and we have reduced the number of lives being lost on our roads, although, sadly, that figure seems to be on the way up again this year. One death on the road is one too many.

The reduction that I spoke about — we have gone from being one of the countries in Europe with the most dangerous roads and the highest rates of fatalities, collisions and casualties to being one of the safer countries — is without doubt attributable in some part to the DOE advertising campaigns. I do not claim that DOE road safety advertising should get sole credit for the reductions, but education, enforcement and engineering have all had a role to play in improving road safety.

Our campaigns have played and will continue to play a significant part in our aspiration to work towards zero road deaths. We have extensive evidence that people watch, are aware of and are influenced by our advertising campaigns. I certainly would not sanction expenditure on something if I was not provided with evidence or was not convinced that it represented value for money. Numerous studies have been done over the years that have shown how many lives have been saved through advertising.

As regards the upset that may be caused to families of victims, that is obviously not the intention behind any advert. However, it is important that the ads are hard-hitting, and the evidence suggests that the more hard-hitting they are, the more impact and influence they have on drivers' behaviour.

3.15 pm

Mr Principal Deputy Speaker: That was an important answer, but I ask the Minister to respect the two-minute rule.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his previous answers. Will he outline the extent of the working partnership between his Department and the Road Safety Authority in the South? If there have been any discussions, what were the thematic priorities in addressing road fatalities that arose?

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Uasal Ó Baoighealláin as an cheist. I thank Mr Boylan for that question.

There exists a very good working relationship between my officials dealing with road safety and their counterparts in the Republic of Ireland. We share the same roads. Daily, many of our drivers use roads in the Republic, and many drivers from the Republic use our roads, so it is only right and sensible that we work closely on issues of road safety.

At North/South Ministerial Council meetings with the Environment Minister from the South, I raise regularly the need to work closely on issues of road safety. Of particular interest to the Member might be the work ongoing, albeit more slowly than we would like, on the mutual recognition of penalty points in both jurisdictions. That will be a vital cog in closing the gaps in the system for bad and irresponsible drivers who float between jurisdictions, putting people's lives, including their own, at risk in doing so.

The Road Traffic (Amendment) Bill is progressing — well, I hope that it is progressing — through Committee Stage, and the Member will be very familiar with that. Through the Bill, we hope to change the drink-drive limits here to bring them into correlation with those in the Republic. That will reduce or eradicate the grey area that some people exploit wittingly or, in many cases, unwittingly.

Mrs Overend: I note the good intentions behind the Road Traffic (Amendment) Bill, especially to cut the number of young fatalities, but does the Minister accept that what works well in urban areas may not work as well in rural areas? Will the Minister give a commitment that he will listen to the concerns of rural communities about the Bill?

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mrs Overend for that question and welcome the fact that she recognises the merits of the Bill as it stands. No doubt, it will retain many merits and, hopefully, contain improvements once it has got through Committee Stage and the other stages that it must go through before it becomes law.

At First Reading, concerns were raised by some representatives about some sort of disproportionate impact that the legislation might have on people living and driving in the countryside. I assure the Member that I will take account of all points raised at any stage throughout this process. However, I must make the point that people from rural areas, particularly young males, are over-represented in the casualty figures — not so much as fatalities but as the cause of fatalities, collisions and casualties. There is a historical over-representation of people from and in rural communities.

It is important, of course, that we listen to the concerns raised. It is important that whatever we end up or come out with is workable and enforceable, and it has to be effective. That is my aim.

Rural Dwellers: Non-farming

3. **Mr McElduff** asked the Minister of the Environment how his Department is engaging with rural communities regarding the right of non-farming rural dwellers to build and live in the countryside. *(AQO 6837/11-15)*

Mr Durkan: Le do chead, a PhríomhLeas-Cheann Comhairle, glacfaidh mé bomaite sa bhreis leis an cheist seo a fhreagairt. With your permission, Mr Principal Deputy Speaker, I would like a wee bit of extra time for this answer.

Mr Principal Deputy Speaker: You have already taken it. *[Laughter.]*

Mr Durkan: I cannot speed.

The Member will be well aware of the background to this issue and that this matter has been subject to considerable examination in the past. As part of the development of planning policy statement (PPS) 21, an independent working group (IWG) was established to consider the issue of non-farming rural dwellers. The group was chaired by Jim Mackinnon, the then chief planner for the Scottish Government, and involved experts from the fields of planning, the environment, rural development and the legal profession, who each brought their individual expertise to the project.

At the time, the IWG reached a number of conclusions, including:

> *"Planning policy should not create a special category for the non-farming rural dweller. Planning decisions for single houses should not be determined on the basis of kinship, connection or occupation".*

The previous Minister of the Environment again considered this issue as part of his review into the operation of PPS 21. That review reported in July 2013. As part of the review, he met former members of the IWG to hear, at first hand, their expert perspectives on the matter. The advice was reiterated that the term "non-farming rural dweller" is difficult to interpret and define and should not, therefore, be used to create a special category of planning policy.

Notwithstanding the above, Members will be aware that my Department recently consulted upon a draft strategic planning policy statement (SPPS) for Northern Ireland. The SPPS consolidates and, where necessary, updates existing policy provisions set out within the current suite of planning policy statements, including those in PPS 21, 'Sustainable Development in the Countryside'. As part of this process, I gave an undertaking to this Chamber that the SPPS should adequately meet the needs of current and future generations of farming and non-farming rural dwellers seeking permission to build in the countryside.

My officials are analysing all the responses, which will be carefully considered, and a synopsis will be made available to the Environment Committee. Once this exercise is complete, I will decide on the final policy direction in respect of non-farming rural dwellers and the SPPS overall.

Mr McElduff: Can I have an additional minute for my supplementary? OK. *[Laughter.]* I thank the Minister for his answer and for his agreeing to meet me and a number of architects and planning advisers from County Tyrone in the near future to discuss this. Ahead of that meeting, can I seek a commitment from the Minister that he will approach with an open mind any new ideas, proposed amendments and proposed improvements to PPS 21, especially if they improve the life chances of rural people who want to live and build in the countryside?

Mr Durkan: I thank the Member for the supplementary question. Indeed, I look forward to our meeting on 28 October. I assure the Member that I will approach that meeting, as I do any and every meeting, with an open mind. I am always willing to hear constructive input and ideas from other Members of the Assembly and from experts in their fields, be they architects or planning agents, and, indeed, from members of the public.

Mr Dunne: I, too, thank the Minister for his contribution in relation to PPS 21. Does he fully recognise the need to amend PPS 21 to allow for some flexibility, so that people brought up in the countryside are included in applications under a measured scheme, but one that gives a chance to families to remain in areas where they were brought up?

Mr Durkan: I thank Mr Dunne for his supplementary question. I recognise the needs and desires that people brought up in a particular area have to remain there. Where possible, provision should and could be made in a policy to accommodate the needs of such people. However, it is worth bearing in mind that PPS 21, as it stands, does offer considerable development opportunities for non-farming rural people wishing to live in the countryside and not just to farmers. I expect a couple of supplementaries to say "not even" to farmers.

Those opportunities include replacement dwellings; the conversion and reuse of non-residential buildings as dwellings; new dwellings within an existing cluster or ribbon of buildings; social and affordable housing schemes; development within designated dispersed rural communities; and a dwelling to meet compelling personal or domestic circumstances. There is certainly no moratorium on building in the countryside for non-farming dwellers. Opportunities exist, but evidently, from the contributions of Members not just today — we had a debate a few months ago on this subject — it seems that sufficient ones do not.

Mr Rogers: Minister, we talk about farmers; what discussions has your Department had with DARD with respect to the idea of an active farmer? How will that inform future planning policy?

Mr Durkan: I thank the Member for his supplementary question. My officials work constantly with their counterparts in DARD on many issues. This is certainly one. In particular, representatives from the Northern Ireland Environment Agency (NIEA) and DARD have a lot of overlap as regards farms and the designation of areas. The Member will be well aware of that; he speaks to me often enough about it.

The definition of a working farm has caused some consternation and confusion when it comes to the interpretation and application of planning policy. Of late, subsequent to a few decisions by the Planning Appeals Commission, it seems that planners have been assessing applications under PPS 21 CTY10 more strictly. They are looking for more evidence of what constitutes a working farm — sorry, it is not that they are looking for more evidence but that the sources of evidence that they are looking for have been reduced. Now, in all bar the most extreme cases, they will require the DARD active farm user number.

Mr Elliott: I thank the Minister for his answers. Given the recent judicial review (JR) decision on a rural planning application in, I think, the Lisburn council area, will that mean that there will be changes from the Department to Planning Service officers on the ground in relation to dwelling applications, whether for farmers or non-farmers?

Mr Durkan: I thank Mr Elliott for his supplementary question. I indicated in my previous answer that the outcome of JRs or Planning Appeals Commission hearings inevitably has a knock-on impact on the interpretation and analysis or assessment of planning applications. Since a recent ruling, I have seen a tightening of PPS 21. It seems to have become somewhat more rigid. That is evidenced by the number of Members here who have brought constituents to me who, six or eight months ago, might have received permission, but, with the new reading of the rules, unfortunately have not. It is worth bearing in mind that there is a balance to be struck. I do not think that anyone would dispute that PPS 21 is much more permissive than its predecessor, PPS 14. However, it is there for a reason. There have to be rules. Any development anywhere, let alone in the countryside, must be sustainable. It is important that, whatever we arrive at through the SPPS, it recognises that. We have a job to protect the countryside as well.

Mr McCallister: Does the Minister accept that there are inconsistencies in the application of the policy throughout Northern Ireland? Does he also accept that some families who get permission to build on a farm location then struggle to raise finance simply because mortgage providers are nervous about the location if ever repossession became an issue?

3.30 pm

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr McCallister for his question. I have no doubt that there have been inconsistencies across the North, not only in the implementation of this planning policy but of many others. However, the issue of perceived inconsistencies with PPS 21 has been addressed to some extent by the establishment by my predecessor of a peer review group, which will look at the more contentious or complex PPS 21 applications. That group consists of senior planners from each of the planning divisions. I think that it is a very useful tool for hearing what is going on in different areas and what views planners from those areas bring to the table. It is vital as well that there is consistency right across the board when it comes to the implementation and application of any planning policy.

I have also become aware of difficulties around mortgage applications. Unfortunately, it is not something new. Historically, mortgage lenders have been cautious about things such as occupancy conditions, which are unique, almost, to countryside applications. However, they seem to have got a lot more cautious of late. I have instructed planning officials to intervene or assist applicants, where possible, be it through a letter of comfort or a letter of support to the lending company.

Councillors: Appeals Mechanism

4. **Mr G Kelly** asked the Minister of the Environment whether there will be an appeals mechanism for councillors in the new councils following an adjudication from the Commissioner for Complaints. *(AQO 6838/11-15)*

Mr Durkan: Part 9 of the Local Government Act 2014 introduced a new ethical standards framework for councillors. That framework consists of a mandatory code of conduct for councillors, with supporting arrangements for investigation, adjudication and appeals.

Members may recall that, as a result of amendments agreed by the Assembly at the Bill's Consideration Stage and Further Consideration Stage, provisions for a High Court appeal mechanism were introduced into the Local Government Bill. That would provide for any person who is subject to further action by the commissioner as a result of their failure to comply with the code of conduct to appeal against the decision of the commissioner to the High Court if the High Court gives the person leave to do so. The ethical standards framework was brought fully into operation on 2 June this year by commencement order.

Members may recall that, in response to concerns raised by the commissioner about the effect that the introduction of a High Court appeal mechanism could have on his constitutional position, I indicated that I was considering bringing forward a further Bill to separate the investigation and adjudication functions of the ethical standards framework. During the debate on the draft code of conduct on 27 May, I informed the Assembly that I was seeking legal advice to assist in determining whether a new adjudication model would be needed. Following my consideration of that legal advice, I take this opportunity to confirm to Members that I am satisfied that the current ethical standards framework can operate without further amendments and — you will be relieved to hear — there is no requirement to bring forward a further Bill. Therefore, the supporting mechanisms of investigation, adjudication and appeals, as currently provided in the 2014 Act, will not be subject to further change.

Mr G Kelly: Gabhaim buíochas leis an Aire as a fhreagra go dtí seo. I thank the Minister for his answer up to now. After that explanation, maybe he will tell us how the post of commissioner will be funded. How will the funding be dealt with?

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr Kelly for that supplementary question. There has been considerable debate, not only about the functions or role of the commissioner but about how the office will be funded from across the councils. Should it be done on a case-by-case basis, according to the number of cases coming to the commissioner from each council and should councils have to pay on that basis? However, it is my opinion that the money should be top-sliced to pay for it before it goes out and becomes a function.

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move on to topical questions.

Dunfield Terrace, Derry: Planning Approval

T1. **Mr P Ramsey** asked the Minister of the Environment, in light of a high-profile campaign by residents in the Dunfield Terrace area of Derry, what the rationale was behind the planners approving that application for housing. *(AQT 1591/11-15)*

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for his question — lots. It is not an approval that was reached lightly by the planners in Derry, particularly given the high volume of objections and, indeed, high level of media interest in the application. I took a personal look at it and toiled with it for some time. However, despite the numerous objections and grounds for objection, the planners have arrived at their decision to approve. In reaching that decision, the Department has taken into account the views of statutory consultees, Derry City Council, objectors and supporters and — the key to this — the planning history on-site. From a planning perspective, the Department considers that the principle of housing development on the site has been long established. Detailed design and roads matters, which historically have been the main impediment to some previous applications on the site, were by and large addressed in the application.

I have received regular correspondence from objectors, both in advance of the decision and subsequent to it. I have to say that I am heartened by the maturity that they have shown and with which they have received the decision. They accept that we were bound by policy and by planning history and that any outcome other than approval was extremely unlikely.

Mr P Ramsey: I thank the Minister for his response. There is clear evidence that it has been one of the most controversial sites, given that it is one of the most beautiful landmarks in the city. Is the Minister aware of proposals tabled via the council or via the residents' group for a land swap that might broker a deal that would enable housing to be built elsewhere so that that land would be retained as the beauty spot that it is?

Mr Durkan: Mr Ramsey quite rightly refers to the importance of the site in the city of Derry and its position as a strategic viewpoint for the city as a whole. As I said, I have been in regular correspondence with objectors to the scheme and have therefore been made aware of negotiations between them, the landowner and statutory agencies such as the council. I am not privy to the full detail of those discussions. However, I am aware that the residents remain hopeful of a positive outcome, and I have offered them my support to achieve one.

Mr Principal Deputy Speaker: I call Mr Gregory Campbell.

Strandview, Portstewart: Planning Application

Mr Campbell: Thank you, Principal Speaker — Deputy Speaker. That was nearly a Freudian slip there.

T2. **Mr Campbell** asked the Minister of the Environment — sticking with County Londonderry rather than the city — whether he has anything to report on the planning application at Portstewart's Strandview, given that he kindly took up my invitation to visit that area, and, in the eight months since he visited the site, there has been no outcome or response from the planners. *(AQT 1592/11-15)*

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr Campbell for that question. I do indeed remember the site visit. I still have the scars.

Subsequent to the meeting that we held with objectors to that development, an approach was made by planning officials back to the developer. It is worth bearing it in mind that the scheme was recommended for approval. However, planners have gone back to the developer to ask him to revisit the scheme, taking into consideration some of the concerns that were raised by objectors. Some of the concerns that they raised were extremely pertinent; some were less so. Bearing it in mind that there are over 6,500 planning applications in the system at a time, as far as I am aware, revised drawings have been submitted. We looked at them and deemed that they were not perhaps sufficiently revised. We are now awaiting or have been in receipt of further revised drawings that will go some way to satisfying residents' concerns.

Mr Campbell: I thank the Minister for his response and his visit on that occasion. It is a picturesque beauty spot, as the Minister knows, given that he has visited the site. Will he ensure that, even with the amended drawings, the capacity for whatever number of dwellings the revised drawings indicate will be looked at in the context of the existing properties that are there and will not run counter to them?

Mr Durkan: I thank the Member for his supplementary question. What I can assure him of — I hope that I already have — is that the concerns of residents were heard that day. As I said, some of the concerns or objections that they raised were more pertinent and had more weight in planning terms than others. Attempts have been made by my Department to, I suppose, get an improved deal for the residents who object to the scheme, but I cannot, at this stage, give the Member any assurances as to how improved that might be.

Social Housing: Enniskillen

T3. **Mr Flanagan** asked the Minister of the Environment to give an assurance that the former MoD site at Grosvenor Barracks in Enniskillen, which is a 17·2 acre site, with plans for 200 houses, and will transfer to the new Fermanagh and Omagh District Council from 1 April, will be used for social housing and will not be sold off to the highest bidder. *(AQT 1593/11-15)*

Mr Durkan: I thank Mr Flanagan for his question. I have to plead complete ignorance of the application to which he refers. I always think that it is safer to admit when you do not know the answer to something. I am sure that the

Member would agree with me on that. Will the site itself be passed to the council?

Mr Flanagan: Yes.

Mr Durkan: OK. Well, along with the site going to the council, what will go to the council, as the Member will be aware, is the statutory function of planning. Councils will start their own planning processes, that of drawing up their own local development plans. Some councils, while still in shadow form, have commenced that work already. An important part of those area plans will be the designation of sites and zones for social housing. I know that there is acute need for it in many areas across the North, and I am sure that the Member's constituency is no exception to that. The council will have a major if not final say in what that land is zoned for.

Mr Flanagan: I thank the Minister and commend him for his efforts to answer that question blind. I want to tease it out a wee bit further with him. The site is being transferred to the council. Is there any way in which the council can ensure that the site is developed for social housing instead of putting it on the market? For example, will the council be allowed to do a public sector trawl that might include social housing providers? Would they be excluded from a public sector trawl?

Mr Durkan: As I have outlined, the council will ultimately be able to say that that land is zoned for social housing. Unfortunately, it is outside my gift or ability to say that it will ultimately be developed for social housing, though. As the Member rightly identifies, that will require cooperation and collaboration between the council and social housing providers through the Northern Ireland Housing Executive and ultimately the housing builders, which would be housing associations. If the demand exists in that area for social housing — I imagine that it does if it is, in any way, similar to other areas across the North — I cannot think why there would be great difficulty in getting it on to the social housing programme eventually. However, that would be a question for the Minister for Social Development.

3.45 pm

Rates: RPA Increases

T4. **Mr Dunne** asked the Minister of the Environment for further clarification on the new rates billing system under RPA, given that he will be aware of the scare stories in the media last week on the possibility of significant rates increases due to the variation across the new council areas. *(AQT 1594/11-15)*

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr Dunne for the question. I did indeed see the scare stories, as Mr Dunne quite accurately puts it, in the media last week. I wondered where they had come from and what had prompted them arising just last week, after we have come so far down the road towards local government reform. I would be lying if I said that there will not be or have not been issues around rates convergence, but a lot of work has been done and is being done to ensure that the impact of rates convergence on ratepayers in certain areas across the North is minimised. I know that Fermanagh is one area that could see a jump in its rates, and there are others that will see an equally large jump. My predecessor managed to secure £30 million from the Executive to deal with the issue of rates convergence, and DFP is currently finalising what the scheme that will dish out that £30 million to mitigate any detrimental impact of rates convergence will look like.

Mr Dunne: I thank the Minister for his answer. Does he agree, though, that it is important that there is an increase in public awareness of his transitional arrangements to give some assurance to the public that they are not going to be hit with a massive increase in their bill?

Mr Durkan: I thank the Member for the supplementary question. I believe that we have a responsibility. It is not just for me as Minister of the Environment or Mr Hamilton as Minister of Finance and Personnel, as, ultimately, it will be his transitional rates relief scheme as opposed to mine. All Members — those who voted for the reform of local government and even those who might have voted against it — have a leadership role to play and should be doing more to allay concerns, rather than stir them up.

October Monitoring Round: DOE Implications

T5. **Mr A Maginness** asked the Minister of the Environment to outline the impact and implications of the October monitoring round on his Department. *(AQT 1595/11-15)*

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for his question.

My Department currently has a range of actions to deliver in-year 4·4% baseline reductions. They include the following measures: ceasing to fill vacant posts in my Department, which is 167 full-time equivalent posts; ceasing the use of contract and temporary workers; reductions in general admin expenditure across all business areas of the Department; utilisation of an in-year reduced requirement on the ring-fenced coastal communities fund; postponement of planned procurements; curtailing spend on a number of contracts; reducing grants for a range of programmes, unfortunately; and reducing the number of lower-priority environmental programmes funded. I also, unfortunately, have to stop funding to any new projects or initiatives.

My Department has conducted a review of budgets across all business areas, and the measures identified to deliver the in-year cuts are those deemed to lessen the impact on the Department's ability to deliver public services. However, the impact of the cuts on my Department's programmes is magnified because of the inability of my Department to cut local government grants in-year. That means that the impact of such percentage cuts falls disproportionately and unfairly on core departmental programmes. As part of October monitoring, I put forward a bid of £0·9 million to seek the reinstatement of part of the reductions made in June and requested that the local government grants be excluded from any reductions.

Unfortunately, the issue has not been addressed, which means that funding for core departmental work in my Department has been disproportionately and unfairly reduced.

Question for Urgent Oral Answer

Enterprise, Trade and Investment

JTI Gallaher: Proposed Closure

Mr Principal Deputy Speaker: Mr David McIlveen has given notice of a question for urgent oral answer to the Minister of Enterprise, Trade and Investment. 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 automatically be called to ask a supplementary question. I will call Mr Allister, who tabled a similar question, after Mr McIlveen.

Mr D McIlveen asked the Minister of Enterprise, Trade and Investment what plans her Department has to support workers affected by the proposed closure of the JTI Gallaher factory.

Mrs Foster (The Minister of Enterprise, Trade and Investment): First, I wish to express my sincere sympathy to all those workers who face a very uncertain future over the coming months as a result of JTI's announcement last week. The company has stressed that the decision is in no way a reflection on the manufacturing performance of the local team. In the meantime, Invest Northern Ireland continues to work closely with the company and with the Department for Employment and Learning to ensure that those employees who may be impacted by the outcome of the consultation are offered good advice, help and support at the most appropriate time.

Mr D McIlveen: I appreciate the opportunity to ask this question today, and I thank the Minister for her response. Despite being cheerleaders for the tobacco products directive in the European Parliament, Sinn Féin, locally, appears to be absolving itself of all responsibility for the proposed closure of the factory. Have discussions that you have had with JTI management since the announcement given you any indication as to its exact reasoning behind the proposed closure?

Mrs Foster: I have not had the opportunity to speak to senior management as yet. I indicated to the House earlier that Stephen Farry and I hope to be engaged at the Ballymena plant later this year. The management has said that it has various processes that it needs to go through, so it does not want to break protocol.

I have had the opportunity, as have other Executive Ministers, to speak to the senior trade union people since the announcement. However, I had spoken to management before the announcement, and it indicated two important areas. First, management indicated the growth in illegal trade, which has led to a significant contraction in the tobacco market in a number of key countries, most notably in western Europe.

Secondly, the Member is right to mention the European Union tobacco products directive, which bans the manufacture of all cigarette packs containing fewer than 20 cigarettes and all hand-rolling tobacco pouches of less than 30 grams from May 2016. The reason for that is that 40% of the plant and machinery at Lisnafillan deals with small packs, and they cannot deal with the larger packs that have been imposed from Europe. The company has regrettably taken the decision to move its production to Poland or Romania.

Members and people outside the House will say that Poland and Romania are in Europe as well. Those factories are already equipped with the machinery to be able to deal with the larger packs. They do not have to put in the capital investment that would have been needed at Lisnafillan, so they have decided to move ahead.

Mr Allister: The Minister is doubtless aware of the huge hole that this news will leave in the economy in the Ballymena area and further afield in manufacturing terms, given the significance of Gallaher. As we look forward to try to fill that hole, what assistance can the Minister ensure flows from Invest NI to promoting north Antrim as a site to visit for future potential foreign direct investment, given that the figures to date are quite disappointing, with, in the past half a dozen years, six visits or thereabouts to north Antrim? How can the Minister help to break what seems to be the Belfast-centric monopoly on new foreign direct investment? Can she help in that regard, and will she?

Mrs Foster: Of course, the Member is aware that I was recently on a trade delegation to the Middle East with companies from Northern Ireland, one of which was Wrightbus from north Antrim. Wrightbus has great manufacturing plans for Ballymena. We will continue to support it in that regard. That includes going to areas that the Member may feel that we should not go to, but I make no apologies for going to Saudi Arabia and places like that to try to secure new plans and new programmes for Wrightbus.

The Member mentioned our relationship with north Antrim and Ballymena. There have been significant announcements in north Antrim, not just Wrightbus but Moy Park. Although the Moy Park announcement was made in Dungannon, it has an impact in upper Bann and Ballymena. So, there are announcements being made outside Belfast. I did not think that the Member would join the Sinn Féin chorus for positive discrimination against Belfast, but there we are: we live and learn every day.

Mr Frew: Will the Minister make it a priority, her first objective, to try to persuade JTI Gallaher to retain some of the jobs on the site? We have a very modern, up-to-date cigar factory. We also have a fully refurbished research and development depot that researched tobacco for plants all over the world. Will the Minister reassure the House that she will try everything that she can to retain some jobs and to support the massive pool of subcontractors on the site?

Mrs Foster: I thank the Member for that supplementary. Let me say to him, first, that we will meet management, hopefully this week. I have said to the unions that I am more than prepared to go to Geneva to speak to the management in headquarters there. I am prepared also to go to Japan, if necessary. As it happens, the British ambassador to Japan was in Northern Ireland just last week. He met our colleague, the Member of Parliament for the area. It is hoped that the ambassador will raise the issue of Lisnafillan with JTI management when he returns to Japan in the near future. There is a little time. During the consultation period, we will meet senior management here, and I think that it is important to go to Geneva and speak to management there as well.

In relation to the subcontractors and the supply chain, I have asked Invest Northern Ireland to find out the specific

impact that this will have on local firms. We know that 200 local firms subcontract for, or are in the supply chain of, JTI Gallaher, contributing £20 million to the local economy. It is vital that we find out the impact that this will have on them as well.

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Minister, the Gallaher workers are some of the most highly skilled manufacturing workers that we have. I have been speaking to some other major manufacturing firms in recent days. Moving forward, they would obviously have an interest in finding employment solutions for some of those employees. What engagement have you had with those firms and the manufacturing industry to find resolutions to the problems that these workers and their families face?

Mrs Foster: It is important to say that JTI Gallaher placed a very strong emphasis on creating transferable skills, and, because of that, we will, hopefully, be able to find accommodation in other manufacturing companies. As Mr Hilditch pointed out in his question to me during Question Time, we are dealing not just with people in north Antrim but with people in south and east Antrim and probably further afield. We will carry out a skills audit of all the employees and then approach other manufacturing companies to assess their needs so that we can match the skills of the people in Ballymena with the skills required across Northern Ireland.

4.00 pm

Mr Swann: Minister, as I am sure you are aware, the announcement on the closure of Gallaher came like a death to the community. Having met with the senior shop stewards on Friday, along with Jim Nicholson, I learned that the main reasons for the factory closure, that they see, are the TPD2 and the illegal trade, as well as the threat of cheaper labour when the production is removed from Ballymena. I may have picked you up wrong earlier, but I will stand corrected. You talked about the removal of the production to Romania or Poland. My understanding, and the understanding of the shop stewards, is that to set up the factory in Poland would take an extensive rebuild. If that is correct, is it not the case that JTI would be breaching European Commission protocols if they have sought state aid? Can the Minister get in contact with our MEPs? I know that she said that she is going to Geneva to meet the management of JTI, but will she also tie in with our MEPs in Brussels?

Mrs Foster: I will certainly tie in with any MEP who is prepared to work for the good of the Gallaher staff in Ballymena and elsewhere. Certainly, some of our MEPs, one in particular, have not been helpful for the future of those Gallaher staff. I think she should join the dots and realise that what she has engaged in has cost those jobs.

As I understood it, the Poland factory has the appropriate machinery to put forward the 40 gram and 30 gram packages that are required under the European directive, as it stands. If I am wrong, I stand corrected, but that is certainly the briefing I was given by the senior shop steward when he came to see us on Thursday. That is the message that I was getting from the MP for the area as well. However, as I say, Stephen Farry and I are hopefully going to meet the management before the end of this week, and we will get complete clarity in relation to those issues.

Mr Wilson: When Caterpillar reduced its workforce in Larne, the Minister gave an undertaking, at that stage, to work with the company to look at its worldwide operations and to find out whether there were things that could be moved to Northern Ireland. Thankfully, employment levels are back at the pre-reduction levels. Has she had any discussions with JTI to see what operations it has worldwide and whether some could be moved to Northern Ireland using, first, the facilities and, secondly, the skills of the workforce here, to at least create some additional employment rather than having the whole place close?

Mrs Foster: Yes, again, those are the sorts of things we will be talking to the management about when we have that meeting later this week and, certainly, when we go to Geneva. To have gone to the parent company to see whether there was anything else we in Northern Ireland could do for the company was a good model. We were able to do work around shared services back offices, for example, with Caterpillar, when they moved to a facility in west Belfast. I think that that is something that we want to explore. A number of staff in Lisnafillan are engaged in research and development. Is there any reason why that could not continue, for example? We will want to have all those discussions, and I look forward to them happening towards the end of this week and, then, further into the next months.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am disappointed at the stance that the Minister and some in her party have taken to peddle company propaganda and to completely ignore the facts that everybody acknowledges exists by focusing on the two issues of illegal trade and an EU directive, and completely ignoring the high cost of energy and other production costs that exist here. Does the Minister accept that a number of global companies are reviewing their position here because of those high energy and production costs? Can she outline what steps she is taking to reduce those costs to try to retain maximum employment here by reducing globalisation transfers out of this place?

Mr Campbell: Not the best man to peddle propaganda.

Mrs Foster: Yes, the facts are always very important in anything that we come to the House to discuss. Therefore, I want to tell the Member that the issue of energy has not come up in any discussions that I have had with this company. I accept that other companies have particular issues in relation to energy, and I am working proactively with those companies to give them an answer. It ill behoves the Member to raise an issue about companies and their costs when the Member does all in his power to cause difficulties in relation to energy policy in the House. Then, he cannot join the dots to know that there are continuing difficulties. If we are going to help businesses with their energy costs, somebody has to pay for it. I know that that is a problem for Sinn Féin, because, like with every good socialist, somebody else pays the bill. Somebody has to pay for anything that happens in relation to energy. That is true. The Members across the way, particularly the lady — well, the Member — continue to tut in the corner. Somebody has to pay, and that is the difficulty that Sinn Féin has with every policy initiative that it brings forward.

Mr A Maginness: I thank the Minister for her very useful answers. Surely it is futile to argue about whether it is cheap labour, whether it is the illegal tobacco trade or

whether it is the European directive. The fact is that this is a tragedy for those 900-odd workers who are going to be made redundant. The Minister has about 18 months to two years for the final run-down of the premises at Lisnafillan. Has the Minister any plans to put in place an intensive and extensive programme for both redeployment and retraining of the workers who are presently employed?

Mrs Foster: I do not necessarily agree with the Member that it is futile to look at the decision as to why JTI Gallaher has taken the decision to go into a 90-day consultation period. It is only by looking at the reasons behind its decision that you can try to deal with what is in front of us. If there are some reasons there that we can try to deal with, we may be able to keep some of these employees here in Northern Ireland. Therefore, it is important to look at the reasons behind why it has taken this decision, and that is what I want to explore with the company. Then we will be able to move forward and see whether there is something that we can specifically do in relation to keeping JTI Gallaher here as an entity. It is a very good entity, despite what Sinn Féin would say. It is a very good company to work for. We will see whether we can keep that company here, and, if not, we will see what we can do to help and support those workers in JTI Gallaher, who have, yes, a period of time. There are many other companies throughout Northern Ireland who announced that they were closing on a Friday and people did not have a job on the Monday. These people have at least got some time to try to find new opportunities, and we will do all that we can to assist them.

Ms Lo: Following on from Mr Maginness's question and the Minister's answer, has she any plans to work with my party colleague the Minister for Employment and Learning to see how we can help people to reskill or upskill in order for them to seek employment between now and the closure in 2017?

Mrs Foster: I do not know whether the Member has been in for all my answers, but I have been referencing the Employment and Learning Minister throughout my answers. I said that he and I had been asked by the Executive to go to Lisnafillan to engage with management, unions and staff. We will do that, and, therefore, yes, I do have plans to work with the Employment and Learning Minister.

Mr Principal Deputy Speaker: I call Mr Steven Agnew. *[Interruption.]* Before moving to the next item of business —

Ms Ruane: On a point of order, Mr Principal Deputy Speaker. Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim mo leithscéal leis an Tionól as gan bheith ann i rith Thráth na gCeisteanna. I apologise to the Assembly because I was not here for one of my topical questions. No disrespect was intended to the Assembly.

Mr Principal Deputy Speaker: Thank you for coming directly to the Chamber to make that clear.

Assembly Business

Extension of Sitting

Mr Principal Deputy Speaker: I have received notification from members of the Business Committee of a motion to extend the sitting past 7.00 pm under Standing Order 10(3A).

Resolved:

> *That, in accordance with Standing Order 10(3A), the sitting on Monday 13 October 2014 be extended to no later than 10.00 pm. — [Ms Ruane.]*

Mr Principal Deputy Speaker: We will take our ease while we change the top Table.

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

Committee Membership

Mr Deputy Speaker (Mr Dallat): As with similar motions, this will be treated as a business motion, and there will be no debate.

Resolved:

> *That Mr Michael Copeland replace Mr Roy Beggs as a member of the Committee for the Office of the First Minister and deputy First Minister — [Mr Swann.]*

Ministerial Statement

October Monitoring Round: Resource Allocations

Mr Hamilton (The Minister of Finance and Personnel): I wish to present to the Assembly the Executive's conclusions on the resource expenditure element of the October monitoring round. The Executive's consideration of the wider October monitoring round, including the impact on capital budgets, is not yet complete. I will make a separate statement apprising the Assembly on the outcome of the full monitoring round at a later date.

As Members will be well aware, the Executive's resource departmental expenditure limit (DEL) budget in this financial year has been confronted with a range of significant pressures. In the June monitoring round, the Executive agreed to reduce departmental resource DEL by 2·1%, or £77·9 million, to address a number of those pressures. That reduction did not address the £87 million reduction to our resource DEL in 2014-15 for not implementing welfare reform in line with the rest of the United Kingdom. However, it was agreed that the Executive must address that issue in the October monitoring round.

Since June, it has become apparent that a number of Departments face inescapable pressures that cannot be addressed from within their existing resource DEL allocations. Those pressures are in addition to the costs of not implementing welfare reform. My officials have scrutinised departmental pressures, and it has been determined that £125 million of those are genuinely inescapable, with many involving legal or contractual commitments. Failure to address those departmental pressures and the cost of not implementing welfare reform through the in-year monitoring process would increase the risk that the Executive would breach its HM Treasury control total on resource expenditure. Given that addressing those pressures would inevitably require further reductions to departmental resource DEL controls, I believed it crucial that those issues should be addressed as soon as practicable to allow Departments sufficient time to manage the impact on their budgets. In view of that, following Executive discussion last Wednesday, I presented a paper to Executive colleagues on Thursday seeking Executive agreement on a way forward. I am pleased to say that the Executive endorsed those proposals.

The Executive agreed resource DEL allocations totalling £125 million, including £8 million to DARD for tuberculosis compensation; £13·8 million to DETI for Invest NI and sporting events; £60 million to the Department of Health, Social Services and Public Safety for pressures in the health sector; £29 million to the Department of Justice for PSNI and legal aid pressures; £4·5 million to DRD for concessionary fares; £1·3 million to OFMDFM for the Victims and Survivors Service; £0·8 million to the Northern Ireland Assembly to reinstate its June monitoring reduction; and £7·6 million to the Public Prosecution Service (PPS) for equal pay and casework challenges. Full details are set out in the annexes accompanying this statement.

The Executive exited the June monitoring round with a zero overcommitment on resource DEL. Taking account of the allocations totalling £125 million and the £87 million reduction for non-implementation of welfare reform, the Executive were overcommitted by some £212 million. Given that departmental resource expenditure has already been reduced by 2·1% this year, seeking to address that overcommitment entirely through in-year reduction to departmental budgets would have proved very difficult to manage. Therefore, with a view to easing the impact on departmental resource DEL this year, the First Minister and I sought a solution to our in-year problems in conjunction with the Chancellor of the Exchequer.

We have, as a result, been able to gain temporary access to the national reserves to draw down £100 million to assist the Executive in 2014-15. That amounts to less than 1% of our resource DEL. The Chancellor's letter to the First Minister makes it clear that access to the national reserve comes with a number of conditions, although those are largely consistent with the Executive's existing plans. This is not a question of the Treasury or Her Majesty's Government stepping in to undermine devolution. Rather, at the request of the First Minister and me, they are providing short-term assistance due to particular one-off difficulties that we have faced this year. I want to put on record my gratitude to the Chancellor for dealing with the matter in such an expeditious manner.

4.15 pm

The conditions are, first, that the Executive fully implement the 4·4% baseline reductions as indicated in June monitoring. That has now been agreed. However, as the House will be aware, I would have preferred if those reductions had been agreed during the June monitoring process when there was more time for Departments to plan prudently for reductions. Significantly, no further in-year reductions to departmental budgets are required.

Secondly, the Chancellor fully understands the critical importance of the time constraint confronting the Executive in setting the Budget for 2015-16. The Chancellor requires the Executive to have a credible 2015-16 plan in place before the end of October. Again, I would have preferred if we could have already agreed next year's Budget, but I trust that we will be able to do so in the coming weeks. I think that the Chancellor is absolutely correct to require the Executive to illustrate how we plan to move forward on the basis of a balanced Budget, taking into account all the pressures that we face and how we believe those can be addressed.

The Chancellor is not, as some might have you believe, seeking to control day-to-day spending decisions in Northern Ireland. He does not wish to dictate to the Executive how much funding health should receive or how much money education should get. He is instead, rightly, as the man responsible for all the UK's public spending, keenly interested in Northern Ireland having spending plans that ensure that we live within our means. In the light of that, I will be tabling a draft Budget paper to the Executive in the coming days and hope that it will be agreed before the end of this month.

Both those conditions are entirely consistent with the position that my Department has been advocating on October monitoring and the 2015-16 Budget process.

Thirdly, the Chancellor has confirmed that the £87 million welfare reform adjustment due to foregone annually managed expenditure (AME) savings will now be deducted from the Northern Ireland DEL later this year and that the £114 million deduction planned for next year will also go

ahead should there be no progress made with Northern Ireland's welfare reform legislation. That is not actually a condition but a statement of fact from the Chancellor as to the Government's long-standing position.

The Chancellor also makes clear that repayment of this facility will happen in 2015-16. Whilst I accept that that adds to our challenges next year, the Executive have tasked the head of the Civil Service with beginning work on the development of options for reducing headcount in the public sector and further pay restraint. Along with possible political agreement on shrinking the size of Stormont, the savings that such difficult but necessary steps will realise will greatly assist us not only next year but, critically, on a recurrent basis. It is perhaps worth pointing out that, contrary to what one daily newspaper in Northern Ireland stated erroneously, interest is not payable on the loan.

It is important to stress that the Executive have now agreed to the terms and conditions set out in the Chancellor's letter. There cannot therefore be any attempt to renege or reinterpret the conditions. I have attached a copy of the Chancellor's letter to the First Minister to the statement.

The detail of the consequential impact on 2014-15 departmental resource expenditure is set out in the annexes that accompany this statement. As a result, we exit the October monitoring round overcommitted by £25 million on resource DEL. That is a significant level of overcommitment, and I have encouraged all Ministers to make best endeavours to identify reduced requirements in the remaining months of this financial year. That means that it is unlikely that any further bids for funding will be entertained by the Executive in the January monitoring round.

I am pleased to be able to advise the Assembly on what I believe is a workable solution for the challenges facing the Executive's immediate resource expenditure difficulties. However, it is unfortunate that the full implementation of the 4·4% baseline reduction — brought to the Executive in June — has been delayed to this point. That unwarranted delay has only created a more difficult environment for Departments to plan and deliver public services. We also need to be clear that the use of the £100 million facility is only a short-term fix that provides some chance for the Executive to live within adjusted HM Treasury control totals for this year.

We have needlessly squandered £87 million of funding that could have delivered significant benefits in areas like health care but for the political intransigence of some who have put their political aspirations in another jurisdiction above the best interests of the people of Northern Ireland. Opposition to passing welfare reform may well be their democratic right. However, it has, in my view, dubious merit whenever refusal to pass welfare reform legislation because you are trying to protect people already in receipt of welfare is putting people on the dole queue and condemning them and their families to a life on welfare.

I freely admit that this path through our present problems is far from perfect. It is not the all-encompassing agreement on the totality of our budget challenges that I would like to present to this House. Some have suggested that what was before the Executive last Thursday should have been rejected simply because it did not address every single issue. Such criticism is short-sighted.

It was never likely that our deliberations last week would end with agreement on dealing with this year's pressures and next year's Budget and solve the welfare reform issue. However, it would have been a complete and utter disaster if we had let another week pass without dealing with the most immediate and pressing problem that is this year's financial position. Every single day that passed was making living within our 2014-15 Budget less and less likely. The consequences of breaching the block grant would have been multiple and grave. Not only would Her Majesty's Treasury have removed the total of our overspend, which would have been in the range of £200 million to £300 million, from next year's Budget, there was the prospect of an additional penalty being heaped on top.

Issues that are important to this Assembly, such as the ongoing discussions on the devolution of corporation tax powers, would have ceased, and the flexibilities that we are seeking for the continued funding of the proposed community safety college at Desertcreat would not have materialised. It was also possible that HM Treasury would not even have tolerated our heading towards an overspend and could have stepped in before year-end and begun to manage our access to cash on a day-to-day basis. In the inevitable discussions with Treasury that would have followed a breach, I am certain that we would not have escaped without the Treasury's spotlight being shone on our so-called super-parity measures. Each of those possible negative consequences have been avoided as a result of this agreement.

The only alternative to overspend would have been to seek to live within our means by making further, deeper cuts to departmental budgets. Over the past weeks, we have heard loudly and clearly from the likes of the Chief Constable, the Health Minister and other Executive colleagues, about the severe impact that cuts above the 4·4% planned for in June would have had on public services in Northern Ireland. Those additional cuts have now been avoided and a crisis in public services has been averted. In fact, not only have savage cuts been avoided, we have been able to make £125 million in allocations to address many of the most acute pressures in the Departments of Health, Justice, Enterprise and elsewhere.

Those parties who voted against my recommendations last week and who have criticised its contents since need to answer this question: what would they have done instead? Would they breach our Budget and risk the wrath of Treasury, or make cuts of around 8% in-year to departmental budgets and accept the serious consequences that that would have had for public services?

I will not be criticised by those who offer no viable alternative to what is before us today. Nor will I be lectured by Ministers who are so hypocritical that they will welcome additional allocations to their own budgets whilst being absolutely unprepared to vote for the way in which those allocations are funded. That is not fiscally responsible. It is, instead, brazen political opportunism. Will those Ministers who are seemingly so opposed to this deal refuse extra money for their Departments, or will they, as I suspect, be only too happy to benefit from the hard work and courage of others? They can also attempt to explain, if they can, why they voted against £60 million for health, £29 million for justice or £1·3 million for victims' services when each of those areas and others were crying out for help.

To put the matter beyond any doubt, I intend to write to those Ministers who opposed October monitoring at the Executive but were the beneficiaries of allocations last Thursday to

confirm that they wish to utilise the loan to ease pressures in their Departments. If they choose not to avail themselves of the benefit that the facility will bring for public services delivered by their Departments, then I will recommend to the Executive in the January monitoring round that those allocations are reversed. Clearly, if they do not wish to take up the allocations made possible by the loan facility, then that pressure on next year's Budget will be lifted.

We have put out the fire in this financial year. Had we not, I would have feared for the future of public services in Northern Ireland. A serious job of work lies ahead in the coming weeks in order to agree a Budget for next year to deal with the range of pressures that our public finances face. We must now, as one, dedicate ourselves to the huge task of agreeing a draft Budget by the end of October. I am up for that challenge and call on everyone in the Executive to similarly commit themselves. On that note, I commend this statement to the Assembly.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. I certainly welcome the allocations in it, particularly to front line services: £60 million to Health is £60 million well needed.

I am concerned, though, about the number of inescapable pressures coming from Departments. Those from the Department of Justice and the Department of Health alone take up some £89 million of the money allocated in the October monitoring round. I would like to know how the Minister will deal with the bad habit that some Departments have picked up, coming back again and again for significant amounts of money.

The Minister also mentioned corporation tax, and I am sure that he will have picked up some comments from the British Secretary of State about that issue. Does he believe that the British Government are getting cold feet on that?

Mr Hamilton: I thank the Chairman of the Committee for his welcoming of the statement and the agreement it represents. He is right to acknowledge the allocations, and one of the positive points is that we have been able to make allocations of £125 million. I will come on to the point about inescapable pressures in a moment or two, but we have been able to alleviate the worst pressures that face the Department of Health — not all of them. The £60 million will go on top of the £20 million that was allocated and set aside for the Department of Health in the June monitoring round for a total of £80 million. Of course, I would be in a better position as Finance Minister and the whole Executive would be in a better position if we were not losing over £80 million this year — to the tune of £87 million — on top of the £13 million that was lost last year because of the penalties for non-compliance with welfare reform.

The Member and, I hope, the House will appreciate that many of the inescapable pressures are legal and contractual in nature. One of the best examples, although it is not the biggest, is that of his party colleague the Minister of Agriculture and Rural Development, who had a pressure of around £7 million for TB compensation that we cannot legally avoid. Whatever the total is for that in a year, it has to be paid.

I take the Member's point about some Departments always coming back year-on-year with quite large bids. One way that, I hope, we can address that is that, in drafting a Budget in the next number of weeks and agreeing a final Budget, we will have a much more strategic approach to our Budget. Given that next year's Budget will require reductions across the board, we should not fall into our old trap of reducing budgets by an equal percentage but address pressures and seize opportunities where they exist.

I am still hopeful that our negotiations and discussions on corporation tax will bear fruit. We have put forward a very robust case for it — I think that it is a case that has won the argument, in fact — and we are waiting for the Chancellor of the Exchequer to make an announcement by the autumn statement, which, I think, is scheduled for 3 December at the latest. That gives us sufficient time to plan for its implementation before the end of this Parliament.

I do not think that the Government are getting cold feet. I think that they were right and were acknowledging the reality, I suppose, that, if the Executive could not deal with the pressures that we were facing in-year, the pressures that we would have to face in taking £200 million or £300 million out of our Budget to pay for corporation tax would be a bridge too far. That is why the in-year position that has been dealt with by this agreement was a test for the Executive, and I hope that we have shown that we have passed that test. We also have to pass the test in agreeing a balanced Budget for next year and getting things back on an even keel. If we can do that, I am hopeful that we will get a positive decision on corporation tax in the coming weeks.

Mr Girvan: I thank the Minister for his statement. Some of the comments that have had to be made are unfortunate. When and why did he conclude that asking the Chancellor of the Exchequer for a facility of £100 million was the best answer to our current budgetary problems?

4.30 pm

Mr Hamilton: I suppose that I would rather not have been in a position where we had to do what we did and ask for access to the national reserve and a loan of £100 million. In an ideal scenario, that would not have happened. Whilst I acknowledge that the forgone savings of £87 million and £114 million for next year on welfare reform are not the totality of our Budget pressures, it would sure make things a lot easier if we were not squandering that money and were not having that self-inflicted wound imposed on us.

Over the last couple of weeks, it has become increasingly clear to some of us, if not everyone, in the House and to a lot of people outside that our pressures were getting worse and worse in-year, as had been predicted. I thought that we faced two likely outcomes, and the First Minister agreed. One was that Departments would significantly overspend. Members will recall that the head of the Civil Service, in a fairly unprecedented act, wrote to the permanent secretary in Treasury about two weeks ago and pointed out that he believed that we were heading for a breach of our Budget in excess of £200 million. As I pointed out in the statement, the conclusion that the First Minister and I came to was that the consequences of that would have been grave. At the very least, that £200 million would be taken off the Budget next year, but there may have been a penalty on top of that, and issues like corporation tax and Desertcreat would have been taken off the table and not discussed at all. I did not think that that was a viable option and nor did the First Minister.

The only alternative was to make further cuts above and beyond the 4·4% that Departments were planning for. That might have meant cuts in-year, with half the financial year gone, of 8% to Departments, which would have been incredibly difficult for them to administer. That would not have eliminated the risk of overspend; it might have exacerbated the likelihood of overspend, so we would have been back to the first consequence. That is when the First Minister and I concluded that something a little different, more imaginative and a bit innovative was required, which is why we sought the permission of the Chancellor to access the loan facility, which ensured that we do not have to administer cuts above and beyond the 4·4% that Departments were planning for. We can still make £125 million of allocations, and, whilst we have to deal with a £100 million facility next year, that gives us the time to agree a balanced Budget and a credible plan for handling it in the next financial year.

Mr D Bradley: Go raibh míle maith agat. Gabhaim buíochas as an deis ceist a chur. I return to inescapable pressures. The Minister's statement tells us that they often involve legal or contractual commitments. In the case of the Department of Agriculture and Rural Development, tuberculosis compensation is a recurring cost each year. Will the Minister encourage Departments to meet those legal contractual commitments early in the financial year so that they are not dependent on monitoring rounds to meet them?

Mr Hamilton: The Member mentions TB, as I did. My understanding is that the bill for TB compensation this year was in excess of £13 million. That is a lot of money going out the door. Whilst it is necessary to offer some compensation to those whose herds are affected, it is a powerful amount of money to pay in the circumstances, particularly our difficult financial circumstances. It is not the case that we did not expect anything like this to appear: the baseline set for the Department was, I understand, around £5·2 million, so anything over and above that — unfortunately, this was a bad year in the sense that the total bill is around £13 million — meant that the Department was in the terrible position of having to find that money. In more benign financial circumstances, Departments may be able to find that money from within their own budget. A lot of non-inescapable pressures are not being met, and Departments will have to suck it up and deal with that themselves from within their budget. Whilst I would like that to have been the case with many of the pressures that were deemed inescapable, with other pressures that Departments were facing and the fact that there would not be a lot of spare cash lying around this year due to reduced requirements, we had to do something to meet many of the inescapable pressures that were legal or contractual in nature. I can understand that people might feel that we should have had better budgetary management at the start of the year to deal with this. In some cases, there was some budgetary management, but it was not sufficient to cover the totality of the legal or contractual pressure that that Department faced.

At the risk of repeating myself, I hope that in agreeing a draft Budget, if we know that inescapable pressures like that will come up, we deal with those in the baselines of Departments right at the start of the Budget period rather than trying to do that in monitoring rounds and taking money away from other public services.

Mr Cree: I thank the Minister for his statement, which makes for interesting reading. Minister, on the current year — 2013-14 — I was wondering whether you had taken into account or were aware of any accrued or estimated Barnett consequentials that might help the situation. You are talking about hopefully getting the 2015-16 Budget agreed by the end of October: what input will the House have to that Budget and, closely linked to that, to the Programme for Government, which will be different?

Mr Hamilton: We do not anticipate any or many positive Barnett consequentials for the Executive in resource expenditure. It would be nice if there were, and it would help us to a large degree, but I do not anticipate many, and we certainly could not plan on the basis of what decisions might be in the Government's autumn statement. If there were to be any Barnett consequentials, I would expect them, in line with recent Budget and autumn statements, to be more on the capital side. We may get an increase in capital, but that does not help us with the current problems that we face.

In answer to the Member's question on the role of the House in next year's Budget, I do not see that being radically different from its role in the past. Once a draft Budget is agreed and published, which I hope can be done in the next number of weeks — in fact, we have to do it within the next couple of weeks, although I would rather that it had been done several weeks ago, which I pressed for — it will go out to public consultation, and there will, obviously, be a role for the House in that. I am looking at the Chair of the Finance Committee. I hope that the Committee will play the role that it has played in the past of coordinating the response of Committees, particularly on their Department's allocations. In that sense, there will be a role for the House to have an input between the draft and final stages and as a receptacle for the views that will, I am sure, be expressed by many who will be affected negatively or positively by the draft Budget.

Mrs Cochrane: I thank the Minister for his statement. I want to respond to his comments about hypocritical Ministers. Does he not agree that Ministers, whilst receiving resources, still have a right to vote against a process that they do not feel meets the best strategic needs of Northern Ireland, which is similar to DUP Ministers accepting money for their Departments in the first mandate whilst not attending the Executive? Also, looking to the year ahead, can the Minister reassure the people of Northern Ireland that the Executive will be able to make and adopt a strategic approach to the 2015-16 Budget?

Mr Hamilton: Let me pick up the Member's first point on hypocritical Ministers. I think that there are hypocritical Ministers in the Executive, not least some of her party colleagues. Last week, they sat in the Executive and voted against the allocations to their Departments. After crying and crying and crying for weeks for money to meet the very real pressures that their Departments were under, they voted against the way in which the allocations were funded. Not only did they display a degree of hypocrisy in not voting for how the allocations should be funded but they offered no viable alternative. In fact, they offered no alternative at all.

They wanted the money. The Minister of Justice wanted £29 million for his Department. He has received that because of the work, efforts and courage of others. He is, it seems, happy to take that money, but he is not happy

with the mechanism to provide that money. That is an unacceptable position for the Minister and others in the Executive to take. That is why I will write to Ministers whose Department has received an allocation in the October monitoring round but who voted against the mechanism by which that money is funded.

If they are so principled and so against the way in which the allocations to their Departments are being funded, it is their right not to take that money. Should they not wish to take up the benefits of the loan facility, I will recommend to the Executive, in January, that the allocations to their Departments are reversed. If they are so principled and do not want to avail themselves of the benefit of the loan facility, they, of course, would not want to take the money that comes from it. I will give them the opportunity not to take the money that the rest of us in the Executive have agreed to allocate and how it should be funded. *[Interruption.]*

Mr Deputy Speaker (Mr Dallat): Order, please. I remind Members, just in case things might get out of order, that courtesy, good temper and moderation are the keynotes of the Assembly.

Mr Weir: In light of that, Mr Deputy Speaker, I thank you very much for calling me, and I thank the Minister very much for his statement. *[Laughter.]* In welcoming this very fine statement, can I ask the Minister whether the Executive are still on course to overspend their Budget this year, please? *[Laughter.]*

Mr Hamilton: As I mentioned in the statement, there is the more technical side of the monitoring round process to go through, and we will do that. In fact, I will present a paper to the Executive next week to deal with any reduced requirements. I do not expect there to be any. We will do any technical adjustments and transfers between budget lines in the normal fashion next week. However, unless there is a huge surprise between now and then, we will exit the October monitoring round with an overcommitment of £25 million. That is incredibly challenging in the circumstances that we find ourselves in, and is, in part, why we sought a larger facility than we received. That is why I impressed upon all Ministers the need to identify any reduced requirements within their Departments very early. It is also why I said in this statement that, even if there are any reduced requirements, it is very unlikely that we will be able to allocate any more in January monitoring because we will be using them to pay our overcommitment.

I am hopeful and optimistic that we will be able to live within our means. I have to say, though, had we not been able to access this facility, I would not have been so confident; in fact, I would have been pretty confident that we would have breached our Budget. What we worked on over the past couple of days ensures that we will live within our means.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire Airgeadais as a ráiteas. I take it that the statement was not agreed by the Executive, because it is one of the most party political statements that I have ever heard, and I thank the Minister for it. On a procedural term, he talks about reducing the headcount in the public sector. Will the Minister detail how that makes financial sense in the short-term, given that people who opt for voluntary redundancy would have to be given an upfront payment? How would that work, given that it takes several years for savings from such a scheme to kick in?

Mr Hamilton: I thank the Member for his initial very complimentary comments about the statement. No plans are in place at the minute in respect of voluntary redundancy schemes or restructuring our broad public sector. The Executive unanimously agreed last Wednesday and ratified on Thursday the decision that the head of the Civil Service and officials go away and look at the range of options that there are for restructuring the public sector. I imagine that that will include — it will include — a voluntary redundancy scheme.

The size and scale of all of that will come out in the wash when the head of the Civil Service and his team do their work on our behalf. It is absolutely the right thing to do. This is not something that we would ordinarily want to be doing, but we are in circumstances of having significantly less public expenditure in Northern Ireland. We all know that, for a host of reasons — real-term cuts in our Budget, the penalties for welfare reform, issues with public sector pensions and so on and so forth — we are already under immense pressure next year. We are looking at a Budget that will be short by several hundred million pounds of what we think is needed. You cannot sustain that, and it looks like that is the way that it will be for a number of years. So, we need to take serious action to live within our means.

One of the ways that you would sensibly do that is by accepting that, if you have less money, you therefore spend less on providing fewer services, which should need fewer people. It is our view that we can save money by having a continued degree of pay restraint and a voluntary redundancy scheme. I particularly welcome the response of the likes of Brian Campfield from NIPSA, who took a very open response to it. He did not rule it out out of hand; he said that it was a good idea in the circumstances. Obviously we will have to engage with the unions and do some work over the next number of months.

4.45 pm

The Member is right in terms of benefits accruing over a long period of time. If the Executive can take a decision in respect of a scheme within the next month, it is our view that we can have a scheme in place by roughly this time next year, or maybe a little earlier. That will allow for benefits to accrue next year. One of the conditions that the Chancellor has set down is that we have to have a credible plan to lead towards a balanced Budget. This, obviously, would be part of that credible plan. Once we, as an Executive, have taken a decision on it, I would like to discuss with the Chancellor how such a scheme could be funded so that we can realise the benefits from it as quickly as possible.

Mr I McCrea: Will the Minister outline whether the need for agreement on the draft Budget by the end of this month is an achievable condition for the Executive to meet?

Mr Hamilton: To be perfectly honest, I would have liked to have had a draft Budget out to consultation by this stage. To follow on from the response to Mr Flanagan, there will be very few Departments that will escape next year's Budget without some degree of reduction to their spending position compared with this year. In that sort of scenario, in which Departments are facing quite sizeable reductions, they need the optimum amount of time to plan. I actually

submitted a paper to the Executive last December setting out how you would have an ideal Budget process, which would have much broader consultation with the general public and the Assembly. Unfortunately, that was not taken, and we are now in this very shoehorned position. However, I still think that it is achievable.

A lot of work has been undertaken by my Department to hollow out precisely what the situation is in terms of the pressures that we will face next year. That narrows the decisions that we have to take to agree a draft Budget down to some headline issues, such as wanting to protect a Department or some Departments, wanting to take forward a restructuring plan and various other headline issues. The choices that you then have before you are quite limited in terms of how you spend the money that you have. That being said, I am optimistic that, if there is goodwill on all sides, we could have a draft Budget out the door by the end of this month, out to public consultation and agreed in final Budget format at the start of the year. That would give Departments roughly three months to plan for what, in most cases, will be considerable reductions to their baseline.

Mrs Dobson: I also thank the Minister for his statement. I welcome the additional allocation of £60 million to health. Thinking ahead, however, not least with the trusts projecting a £130 million deficit for this year and the Health Department forecasting its pressures increasing to £317 million next year, what realistic chance — Ian McCrea touched on this in the previous question — is there of agreeing the required level of funds for 2015-16 in the next three weeks to meet George Osborne's time frame?

Mr Hamilton: At the risk of repeating myself, I am optimistic that we can do it. I will certainly put in every effort required on my part — my Department will do likewise — to ensure that we have a Budget in place by the end of this month that meets that condition. It is a condition, and the letter is now before the House. However, as I said before, it is a least a month, if not six weeks, later than I would have liked to have had a draft Budget agreed and out the door.

I thank the Member for welcoming the allocation of a further £60 million to the Health Department. Unfortunately, her Minister in the Executive, Mr Kennedy, did not see fit to vote for that allocation of £60 million. It is a matter for him to explain why he did not want that much-needed £60 million going to the Department of Health. That is regrettable, and equally regrettable is his failure to vote for £29 million to alleviate the pressures that the Chief Constable and others have been facing and, indeed, for £1·3 million to victims' services.

That is a matter for the Minister and his party to explain. I accept, as well, that the allocation is not everything that the Department of Health would want, could absorb or could spend between now and the end of the financial year.

To go back to the point about the draft Budget, I think that there is a need for a conversation leading up to the draft Budget and, certainly, leading up to agreement on a final Budget, and also leading up to the comprehensive spending review and the next set of Budgets for future years about strategic issues of health and health funding. I see my colleague the former Minister of Health in the House. He and I have spoken frequently about the need for us to decide, as an Assembly and indeed as a society, about how much we want to spend on health. In a situation where pressures rise at 6% each year, it will not be long before health eats up nearly the entire Budget. We need to take very serious decisions, follow through on the reform plan initiated by Mr Poots, and try to ensure that the people of Northern Ireland get the health service that they deserve.

Mr McQuillan: I also thank the Minister for his statement. I certainly welcome it. How do the Executive plan to repay this loan over the next year, given the pressures that you have just enlightened us about?

Mr Hamilton: I do not run away from the fact that the loan facility exacerbates our problems next year. I would be wrong to say otherwise. The money will come off our baseline, and that process will start this year, much as it will in terms of reducing our Budget by the £114 million welfare reform penalty. Again I make the point that, were we able to reach political agreement on moving that forward, it would not alleviate all the problems that we face, but it would make life a lot easier.

It will be a challenge on top of those other pressures that we face, including a real-terms reduction to our starting position for next year. It will be incredibly difficult, and that difficulty is now added to by the need to repay that facility. In response to Mr Flanagan, I touched on the need for a credible plan and how it will be based very much on a restructuring plan and the realisation of some savings by reducing headcount and by some pay restraint. I hope, too, that we can reach political agreement on reducing the size of Stormont as well so that there will be fewer Departments and fewer Assembly Members, taking down some of that "ugly scaffolding" that somebody once talked about and saving some money on a recurring basis through that.

It will be challenging and difficult. Our challenges are added to by this. However, I still think that, in the circumstances, it was much better that we accessed the facility and dealt with our in-year problems, which were extremely pressing. Had we not come up with this idea and accessed the facility, we would now be on the cusp of a real crisis in public services in Northern Ireland.

Mr Spratt: I thank the Minister for his statement to the House. Is it not hypocritical of some parties to bring debates forward to the House that look for more funding for victims and then, in the very same week, have their Minister vote against £1·3 million allocated to victims?

Mr Hamilton: The Member has used the word "hypocritical". I look to the Deputy Speaker; I do not wish to incur his wrath.

Mr Deputy Speaker (Mr Dallat): Order, please. I am going to caution Mr Hamilton and, indeed, Members about the little phrase we use: "courtesy, good temper and moderation". "Hypocritical" is just on the balance.

Mr Hamilton: Can I check with you, Mr Deputy Speaker, whether the phrase "two-faced" is OK?

Mr Weir: Double standards.

Mr Hamilton: "Double standards" is the tolerable phrase offered. There are certainly double standards in play on a whole range of issues in respect of the response of some parties to this facility, which has got us out of the problems that we face this year. It has done so without the need for further cuts to budgets and the crisis that there would have been in public spending as a result of them. It has allowed us to make £125 million of allocations, including

£1·3 million to victims' services. Whilst I did not participate in it, I was aware of and heard part of the debate in the House last Tuesday. The motion was brought to the House by members of the Ulster Unionist Party; I think that the leader of that party proposed the motion. Yet he sent his Minister into the Executive last week to vote against the very allocation that he called for in the House. The Deputy Speaker may or may not allow me to call it certain things, but I do think that it is double standards and two-faced, on the one hand, to call for such an allocation and then, on the other hand, to vote against the very same allocation when it is proposed at the Executive.

Mr Lyttle: I thank the Minister for his statement, which has revealed to us that the extent of his imaginative approach to the situation is loans, job cuts and pay freezes, and for the imaginative approach of suggesting that we have somehow found ourselves in this situation overnight when asking us what else we would do. When will the Minister and his party show the political maturity to adopt a more strategic approach to the Budget, take difficult decisions and explore and begin to debate fair revenue-raising measures as a way in which to get us out of the financial crisis?

Mr Hamilton: I listen to the Member's comments, and he criticises the way in which we have got ourselves out of the pressing problem that was happening in-year, when we had all the stuff that was being said by the then Health Minister about what would have happened if he had not got the additional £60 million.

I heard the Justice Minister, his party colleague and, more importantly, the Chief Constable talk about how the Police Service of Northern Ireland would be unrecognisable without an allocation of at least £29 million. I am sure that the Minister would have taken more if it had been available. I am not sure whether he is going to take it all or not, given the means by which it has been distributed. I take it very seriously when the Chief Constable talks about the Police Service being unrecognisable as a result of our inability to give him money that he needs.

When I hear that, my response is to come up with a solution to the problem. The Member and his party may not like the solution, but it is a solution. It is a solution that ensures that we do not have to make any more cuts than the 4·4% cuts that were planned for. It is a solution that allows us to make allocations of £125 million to Departments, including his party colleague's Department, the Department of Justice. It is a solution that ensures that we do not breach our Budget and have to deal with the consequences of all of that. I hear the Member criticise, but I do not hear him offering any alternative — none whatsoever. His party leader was quizzed repeatedly yesterday on the BBC about what he would have done instead. He offers no alternative whatsoever.

The Member asks for a more strategic approach. One of the things that sickens me about the discourse around this issue, particularly emanating from the Alliance Party, is the plague-on-all-your-houses argument that the DUP is as bad as Sinn Féin. I put it to the Member, as I said in response to other questions, that I have been pushing for a strategic approach to the Budget from as far back as December last year. That offer was not taken up by Sinn Féin. I have tried, tried and tried again to deal with our in-year problems as early as I possibly can to give Departments, Ministers and officials the certainty that they require. I have been blocked on every occasion by Sinn Féin. Therefore, it is not me and my party that are found wanting when it comes to having a sensible, reasonable, strategic approach to dealing with our financial problems. It is, of course, the fault of the system of government that we have, which is a system of government that, in large measure, we have the Alliance Party to thank for.

Ms P Bradley: I also thank the Minister for his statement, and I especially welcome the £60 million for health. The Minister touched on this in an earlier answer to Mrs Dobson, but will he comment on the extent to which the £60 million allocation, along with the £20 million from the June monitoring round, will deal with the immense pressures faced by the Health Department?

Mr Hamilton: I would never suggest that an allocation of £60 million on top of the £20 million for health — £80 million in total — is going to alleviate all the problems that the Department continues to face in this year. I listened to the previous Minister and I listen to the current Minister, and they have said things to me such as, "If I don't get this allocation, I won't be able to continue to employ locum doctors and locum nurses. The impact of that would be that wards in hospitals would be closed. Indeed, the very viability of some facilities across Northern Ireland would be called into question". When I hear that, I know that we have to act. That is why we came up with the solution that we have before us. It is a good solution in the circumstances that we find ourselves. It allows the Health Minister not to have to proceed with those sorts of drastic, savage, severe cuts in his Department.

5.00 pm

I know and accept, and I hope that the whole House appreciates, that the Minister will still have difficult decisions to make because he did not get the full £160 million that he believes is required. He has only roughly half of that. From conversations that I have had with the Minister, I am assured that the worst of those cuts have now been alleviated because of the Executive's decision to allocate a total of £80 million to the Department of Health this year.

Mr Givan: Bearing in mind your ruling about not calling people hypocrites, Mr Deputy Speaker, the Minister of Justice has certainly been acting as a bit of a curmudgeon over the budget. The Chief Constable has been somewhat begrudging of the additional allocation that has been made to the Department of Justice. Can the Finance Minister explain why he believes that the Chief Constable feels that the £29 million may not be sufficient for the Department of Justice to meet the pressures that face the Police Service?

Mr Hamilton: I would not try to speak for the Chief Constable — I shudder at the thought — but I have to say at the outset that I was deeply disappointed by some of comments that he made at the tail end of last week. I felt that some of his comments were political in tone and nature. If I were to stand before this House and make operational comments about the police, I would be told that I was wrong to do so. I think that the same applies to the Chief Constable's making political comments.

That having been said, I cannot explain why he does not think that it is enough. I suppose that, in a broad sense, no Chief Constable or Minister would think that what they get is enough to deal with all of the problems that they have. The Department of Health is a very good example of that, and I am sure that the Department of Justice is

exactly the same. My best guess — in fact, it is not a guess but is based on comments that were made by the Justice Minister to the Executive last week — is that the pressures that he is dealing with in his Department do not just emanate from the reductions that are having to be made in year. I think that it would be incredibly churlish if the Minister of Justice did not accept that he is a better position today as a result of this solution than he would otherwise have been. His Department would have faced close to £50 million of in-year reductions if we had applied the 4·4% reductions in June and October. By getting £29 million back, he is better off than he would have been by a considerable amount. He is seeing only £18 million being taken out of his budget as opposed to close to £50 million. The Minister is in a better position.

Quite why the Chief Constable does not think that £29 million is enough, I do not know. I think that it is because the Minister of Justice has, in my estimation, been cross-subsidising pressures elsewhere in his budget, primarily in legal aid, by taking money away from front line police services. When I listen to criticism from the Alliance Party about my predecessor and me mismanaging the Budget, one has only to look at the justice budget, which, of course, as my predecessor would be able to outline better than I can, has a degree of protection that no other Department has and special arrangements put in place. Over the monitoring rounds since 2012, the Department of Justice, even though it has that degree of protection and all of those special measures, has bid for over £225 million more in resources through monitoring rounds, of which £75·9 million — so, one third of that money that was bid for by the Department of Justice — has been for legal aid.

Whilst I accept that there are reductions and they do put pressure on Departments, it is my reading of the situation that the pressures are not coming from the in-year reductions but are there because the Minister has chosen — up to this point anyway, before he got the allocation of £29 million — to cross-subsidise those pressures by taking money from the police and giving it to legal aid. When I hear criticism about my mismanagement of the overall Budget, I think that there are some others who have questions to answer about the management of their budgets.

Mr Ross: The Finance Minister has acknowledged that the loan from Treasury will not solve all of our problems, but he has rightly said that it will, at least, give breathing space to try to find agreement for next year's Budget. Of course, it is necessary because of the economic incompetence on display from Members opposite, which has been so amply displayed on various radio programmes over the past few days. What is the status of the £87 million and £114 million that was to be taken out of our Budget because of the failure to move forward on welfare reform?

Mr Hamilton: I thank the Member for his question. The fifth bullet point in the Chancellor's letter makes it clear that amendments to the Executive's departmental expenditure limit control totals to be processed at the Supplementary Estimates round, which related to foregone AME savings due to the failure to progress welfare reform, remain as set out in the Chief Secretary's earlier correspondence; that is, minus £87 million in this financial year and a planned minus £114 million in the next financial year. Whilst this agreement has, I think, got us through the problems that we have faced this year — problems that have been exacerbated by the failure of some to live up to reality in respect of welfare reform — the reality of the situation, as confirmed by the Chancellor and despite the fact that some thought that they could dream, wish or plead for those penalties to disappear, is that they have not. They are being taken out of our Budget. Whilst, as I said to other Members, getting that £87 million back, if we could — I believe that, if we make progress, we may be able to — would not solve all our problems, it would certainly make things a lot easier and help us with a significant number of the problems that we face. However, as the Member points out, as long as some Members want to bury their head in the sand on the issue, we will face a further £114 million of reductions next year.

Mr Campbell: I congratulate the Minister and First Minister on negotiating a loan that is interest-free, which sometimes people have forgotten. To summarise the Minister, he indicated that SDLP, UUP and Alliance Ministers voted against the package and were critical of it, without coming up with an alternative to it, but are still going to accept it. Is that a fair summary? Additionally, there appears to be criticism that a more comprehensive deal was not negotiated. Will he explain and elaborate on that?

Mr Hamilton: Mr Campbell's summary of the position of some in the Executive — an indefensible position — is right. From what I have heard in part today and certainly over the weekend I know that he is right that some of the criticism is that we did not have a comprehensive solution to all the problems that we face. I have a degree of sympathy for that argument. This is not, as I said in my statement, an all-encompassing, all-embracing, comprehensive settlement of all the budgetary pressures that we face. That is what I would like. That is the ideal position. It is what I have been pressing for over a number of weeks and months. However, it was not possible. Certainly, last week, I did not think that it was possible, and there was no indication from Sinn Féin that it was up for that sort of discussion and up for agreement on a solution of the totality of our Budget problems. To be honest, whilst they are serious problems that we face, the big problem we faced last week, which has now been averted, was either significant overspend in our Budget and all the consequences that flow from that or having to make cuts to budgets, in-year, in the region of 8%. That would have precipitated all the horror stories and nightmare scenarios that various Ministers, the Chief Constable and others painted for us on TV and radio over the last weeks. I thought that neither of those options was viable and that something else needed to be done. Whilst Members are free to criticise the nature of the facility, its repayment and its terms, as is their right, I do not think that any could deny that we have got ourselves out of the problem that we were facing in the short term and given ourselves some time to deal with the more medium- and long-term problems and challenges that we face.

Mr Wilson: The Minister indicated that the £100 million loan was determined partly by a credible 2015-16 plan being in place before the end of October. Could he give us some idea of what he believes would have to be included in such a credible plan? For example, is it credible to ring-fence 62% of the Budget by guaranteeing the budgets for health and education? Will it require acceptance by Sinn Féin and the SDLP that the cost of their stance on welfare reform will have to be taken off Departments? Will it require recognition that IT costs are coming down the road in 2015-16 because of the failure of welfare reform?

Does he accept that the promises of long-term change in government structures will not be a credible plan —

Mr Deputy Speaker (Mr Dallat): Order. That might be a long-term question, but we will leave it at that.

Mr Hamilton: I will try my best to answer all those questions. The Member will know better than anybody else in the House that there is an immense challenge in getting a credible plan and a balanced Budget in place by the end of this month. I assure the Member and the House that significant volumes of work have been done by my Department to have a credible plan and a balanced Budget in place, but the difficulty and the sticking point will be getting the agreement of others to that credible plan and balanced Budget. He is right that tough decisions are required to arrive at that point. The idea that we will find a magic hat and pull a rabbit out of it is laughable. Whilst our economy is doing much better, we have turned the corner with public finances and are in a completely different era. If Members thought that the 2011-15 Budget was tight and difficult, they have not seen anything yet. The 2015-16 Budget is not so much the last Budget of the 2011-15 period; it is the beginning of an entirely new era.

Tough, strategic headline decisions are required by Executive parties, and the Member has identified some of them, including the need to tackle welfare. If we do not do that, the problem will only get worse. I believe that we need to look at issues around the protection of Departments, and a conversation at least needs to be had on the totality of protection of Departments. The Member will recall that, in 2011, the protection offered to the Health Department was not total protection; it was to protect what we might describe as the NHS. Similar conversations need to be had in respect of education, which has benefited from a measure of protection over this financial year that I do not think came with any justification. We need to agree the modalities of a restructuring plan that helps us to live within our means. It will not do it in totality. We also have to accept that there will be significant reductions in spending in most Departments. If Members, particularly the Executive Ministers, can start to get their head around those strategic headline issues and where they stand on all those, we have a very good chance of agreeing a credible plan and a balanced Budget for next year that sets us on the right track for future years.

Mr McCarthy: I must say at the outset that I am very disappointed by the tone of the Minister's responses to questions. When you start to use derogatory language and call people names, it seems that the argument has been lost. Perhaps the Minister, along with the First Minister, is now starting to regret taking the £100 million or even asking for it, which will clearly come off next year's allocation. Does the Minister agree that a more sensible approach to borrowing is to make an investment for the future or to create breathing space for reforms? How does the decision that the Executive took to borrow £100 million from the Treasury meet either of those tests?

Mr Hamilton: I regret nothing about what we have done, and I regret nothing about what I have said today. Everything that I have said today is factual. I do not regret having produced, alongside the First Minister and with the agreement of the Executive, a solution to the problems that we faced. I say to the House and to the Member that what he would have regretted —more to the point, what his constituents and my constituents would have regretted — would have been if we had taken no action. If we had lived in the la-la land that the Alliance Party occupies and thought that we could have a big strategic decision about all our problems in-year, we would have had no solution at all. We would either have overspent our Budget, which would have resulted in significant consequences for the Northern Ireland Executive and for public services, or we would have had to implement in-year cuts in the region of 8% to Departments that would have decimated public services in Northern Ireland. The horror stories that we heard from Ministers, from the Chief Constable and from others would have become a reality, and public services would have been in an unrecognisable position before the end of this financial year. If we had not done what we did, we would not have got ourselves out of the very pressing problems that we had in-year.

The Member made a point about borrowing for investment, and I agree. We borrow on the capital side for investment in the future.

However, what we have bought — the Member used this phrase — is breathing space. We have given ourselves breathing space by getting ourselves out of the immediate, pressing problem of this year's situation. We have given ourselves breathing space to produce a credible plan and a balanced Budget for next year that will get us back on the straight and narrow.

5.15 pm

Mr Allister: I am almost reluctant to intervene in this blood-letting and feuding within the happy Executive. What assurance has the Minister that, by taking on this extra millstone of £100 million of debt, he will get agreement on the Budget from those who have put him in this position? Should I understand his statement on October monitoring as meaning that Sinn Féin has now accepted £87 million of Tory cuts? Is Sinn Féin now required to accept £114 million of Tory cuts for the next Budget and more besides according to the cyclical reduction that would come anyhow? Just what is the level of Tory cuts, as Sinn Féin likes to call them, that it is required to agree to in order to obtain a Budget?

Mr Hamilton: The first point was about what confidence I have that we will get agreement on next year's Budget. The proposal was put to the parties at the Executive last week. It was made very clear in the proposal, not least because it is clear in the Chancellor's letter, which every Member now has, that we need to agree a balanced Budget and a credible plan for dealing with our problems by the end of this month. It is perhaps styled as a condition. I do not see it as a condition; I see it as entirely consistent with my position over the last number of weeks and months. It is exactly where we should be. We should not wait until after the end of this month to have a draft Budget out to consultation and be working towards agreement on the final Budget by the end of this year or the start of next year.

I have to say that, when it was presented at the Executive, it was accepted in the correct way. Subsequent political comment by Sinn Féin Members, including Sinn Féin Ministers, has been that they are up for the intensive period of work that is required over the next number of weeks to get a draft Budget out the door by the end of this month. So, I remain optimistic. As I said to Mr Wilson, there are significant challenges within that, but I am up for

those. I will make every effort I can to deal with them, and I hope that other parties will do likewise.

Some wish to describe these as "Tory cuts". Others might want to describe them as Tory-Liberal cuts. Others in the House have their fingerprints on some of them. Whatever way one wishes to describe them, they are reductions that, as I have described before, are self-inflicted wounds because of welfare reform. The Chancellor's letter makes it incredibly clear that the £87 million of forgone savings that would have been made on our welfare bill have now gone. They are gone. The £114 million will go. Some may want to style those as Tory cuts. However, it is very clear in the agreement that the Executive signed up to that all parties have accepted those conditions in order to access the £100 million facility.

I would rather that they were not there. In some senses, I do not accept them. I wish that we did not have to pay them. They have been accepted by all parties nonetheless. Of course, the parties that stood in front of this Building with placards and banners saying that they opposed Tory cuts have, by their own definition, been implementing Tory cuts since 2011. I hear Sinn Féin spokespeople on TV or radio talking about how our Budget has been going down because less money has been given to us from Westminster: they have been implementing those so-called Tory cuts since 2011 and continue to do so now.

Mr Deputy Speaker (Mr Dallat): There are still three Members to ask questions. I would like to fit them all in, so I encourage Members and the Minister to be concise.

Mr Agnew: The Minister referred to the last Budget and said that, if we thought that that was painful, we ain't seen nothing yet. In the same statement, he says that he is still hopeful that discussions on corporation tax will bear fruit. Given that the estimated costs of reducing corporation tax to the level proposed are up to £400 million a year, is this proposal still credible? Is it desirable? Is it sane? How are we supposed to find that extra £400 million, given that we are struggling to balance the books in the current situation?

Mr Hamilton: Of course, the first point in response to the Member is that, even if we get corporation tax powers, as I hope and expect we will by the end of this year — certainly a decision by the end of this year and powers devolved by the end of the Parliament — we will not be implementing the reduction and therefore taking the hit to the block grant immediately. It will be for us to decide when the reduction takes place. In that sense, that aspect of it is within our control. I will still be pursuing aggressively the devolution of corporation tax powers, in so far as we can at the conclusion of negotiations. There will be a cost. Nobody has ever run away or shied away from the fact and the reality that there will be a cost — a sizeable cost — to our block grant. At a future point, a level of maturity on the part of some members of the Executive that, until this point, has not always been on display will be required to deal with that, but I still think it is the best option that we have in transforming our economy. I am the first to praise my colleague the Enterprise Minister for the sterling work that she and Invest Northern Ireland have been doing in attracting jobs to Northern Ireland, but, if we look at how they have attracted and promoted 7,000 jobs in this financial year already, we have to ask what we could do if we had reduced corporation tax? What would be the beneficial impact on not only the economy in Northern Ireland but the whole of society in Northern Ireland? Whilst I know that some in the House are less enthusiastic about it, I do not think any of them have a plan or alternative that would have the transformative effect on our economy that a reduction in corporation tax would have.

I accept entirely the Member's points that there are costs involved and that, if past behaviour is anything to go by, it will be exceptionally difficult to reach agreement on where those commensurate cuts and reductions would have to be made. I think the fact that every party in the Executive is committed to doing it shows that there is at least a willingness to take the power, and there should then be a resultant maturity in making the reductions that, inevitably, will be required.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. We need to reflect on the contradictory nature of some parties voting against vital investment, particularly when we look at the area of health. That said, the Minister alluded to the strategic decisions and direction that were needed on health. How will the £60 million allocation be prioritised in terms of Programme for Government commitments and, indeed, monitored, given the Minister's comments in June around the concern of the management of the current health budget?

Mr Hamilton: The previous Minister and the current Minister have set out the degree of pressures. Nobody will be better placed to understand those than the Chair of the Health Committee. The Health Minister faces pressures in his Department totalling around £160 million. Whilst the allocation of a total of £80 million does not go to deal with all of that, it is fair to say that the worst of those pressures will not materialise. That is certainly what the Health Minister said at the Executive last week when he talked about getting the extra £60 million. Earlier, in response to questions, I mentioned that it would mean that he would be able to continue to employ locum doctors and nurses and therefore not have to close down wards and, perhaps, not have to close down certain health facilities across Northern Ireland. Obviously, the Minister will choose to deploy the £80 million that he now has in other areas to ensure that healthcare in Northern Ireland is not compromised.

I still think that there is a huge challenge in the Department this year. If the 6% inflation figure is right and that is the sort of pressure that the Health Department will face next year and every year thereafter — we all know the reasons behind all that — we are facing into a very difficult scenario in health. That is why the reform plans initiated by my colleague Edwin Poots, when he was Minister, need to be implemented. We also need to have a strategic conversation as an Executive, an Assembly and a society in Northern Ireland about what our priorities in health are, what must be absolutely protected and what can be done, perhaps, in slightly different ways. I am up for that conversation; I think colleagues are up for that conversation; and I hope that others in the Executive will join that conversation, even if it is not between now and the end of October, as we agree a draft Budget. It is a conversation that desperately needs to be had very quickly to inform future budgets as we move forward.

Mr Deputy Speaker (Mr Dallat): Unfortunately, despite my best efforts, one person has to be excluded because the time is up.

Executive Committee Business

Off-street Parking (Functions of District Councils) Bill: First Stage

Mr Kennedy (The Minister for Regional Development): I beg to introduce the Off-street Parking (Functions of District Councils) Bill [NIA 40/11-16], which is a Bill to transfer to district councils certain functions in relation to off-street parking places; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Legal Aid and Coroners' Courts Bill: Final Stage

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

> *That the Legal Aid and Coroners' Courts Bill [NIA 33/11-15] do now pass.*

I start by reminding Members that the Bill includes provision relating to Coroners' Courts and the role of the Lord Chief Justice, which, through the entire passage in the Assembly, attracted no debate previously.

On the important topic of legal aid, the Bill opens a new chapter in the management of legal aid by facilitating the creation of a Legal Services Agency. I believe that legal aid is a cornerstone of the justice system. We need a strong and independent mechanism to take decisions that adhere to the principles behind legal aid but take account of the financial realities. In line with a recommendation from the 2011 access to justice review, I believe that the new arrangements described by the Bill meet those standards.

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

As it is making way for the agency, I want to pay tribute to all those who played their part in the Northern Ireland Legal Services Commission. That includes board members, senior management, staff and members of the appeals panels. Since the commission was created in 2003, they have done their best to administer the increasing demand for legal aid and to do so in a way that is impartial, fair and reasonable. This has never been easy, and there has been no shortage of criticism of the commission. There will be a challenging period ahead as the commission continues to deliver its targets whilst preparing to make the transition to an agency of the Department of Justice. I want to put on the record now my gratitude to each and every member of staff for their hard work in difficult and often thankless circumstances. Of course, the closure of the commission also marks a new beginning for staff. They will transfer to the new agency, becoming part of the wider Northern Ireland Civil Service. I am confident that they will benefit from the opportunities and the advantages that come from being part of the wider Civil Service. The Civil Service too will benefit from their experience and their knowledge.

Greater flexibility for staff is one benefit of the new agency, but there is a bigger prize. The legal aid budget has been subject to unacceptable overruns for some time. Forecasting has been a real problem. In the current climate, this approach is unsustainable. Bringing legal aid closer to the Department will deliver improvements to budgetary management in line with Civil Service best practice, which I believe will lead to improved control over costs. I want it to be clear that I am only talking about controlling costs, not interfering either in individual cases or in the scope of legal aid. At the core of the Bill are provisions that provide safeguards on the award of civil legal aid. I have made it clear that the Bill does not in any way restrict eligibility for legal aid. Independence in respect of individual decisions is essential. There will be a director of legal aid casework to take decisions on the award of civil legal aid. The Bill contains safeguards to ensure the independence of the director. The safeguards include prohibiting the Department from issuing direction or guidance in respect of individual decisions; requiring any direction or guidance to be published; imposing a duty on the Department to ensure that the director acts independently when deciding an individual case; and the appointment of panels to hear appeals.

The role of director will be a challenging one. As well as decisions on civil legal aid, the director will take over responsibility from me for decision-making on the provision of exceptional legal aid funding in individual cases, for example the representation of next of kin at certain inquests, to comply with article 2 of the European Convention on Human Rights (ECHR). The post holder will have support from me and the Department but not interference in individual cases or classes of cases. I hope that they will also have the support of the Assembly as they ensure that decisions in that critical area are fair and transparent.

5.30 pm

The agency starts a new chapter, but I would like to take this opportunity to look a little further ahead. The agency will put legal aid on a firmer footing in the Department and will allow us to look again at what we want to achieve through legal aid. In the coming months, I will bring forward further reforms to reduce costs. In light of the financial environment, that will inevitably include taking difficult decisions about the scope of legal aid. I have also commissioned the access to justice review part 2, which will help to set the agenda for the future.

There is clearly a need for more rigorous financial control, governance and accountability arrangements in respect of legal aid and a need to bring costs under control, including improving the efficiency of the delivery body. I believe that the creation of the agency will help to improve the governance of public spending and will facilitate the delivery of legal aid reform. Integration with the Northern Ireland Civil Service will allow for access to a wider range of skills and opportunities for staff movement and will provide greater opportunity to share services and make efficiencies through corporate support services. None of the changes will impact on access to justice or in any way restrict eligibility for legal aid, but they will lead to a more efficient and effective service that is in the interests of everyone.

I conclude by thanking those who have contributed to the work on the Bill, most notably the members of the Committee and its staff, and I commend the Bill to the House.

Mr Givan (The Chairperson of the Committee for Justice): On behalf of the Justice Committee, I welcome the Final Stage of the Legal Aid and Coroners' Courts Bill. It has been a much simpler one than other justice Bills that have come through the Assembly, and it has passed through the various stages with relatively few amendments.

As I stated previously, the Bill is viewed by the Committee as an essential part of the wider programme to reform the legal aid system in Northern Ireland. It will provide the opportunity to address a range of ongoing issues in relation to legal aid spend that require urgent attention, and the Committee will expect to see improvements in the governance arrangements and increased transparency, accountability and efficiency. That is one of the areas that the legal professions have repeatedly been able to point to as a major problem in tackling the legal aid budget, and I think that it is a step in the right direction to try to get the necessary changes in place. That will go some way to removing the criticism that has been levelled at the Department — at times unfairly — in respect of how the legal aid budget system is administered. It will help to remove the excuse that has been put forward. Given that the accounts of the Legal Services Commission have been qualified every year since it was founded, the change has been necessary and will hopefully address those concerns.

The Committee welcomed the support of the Assembly for the two amendments tabled by the Minister, which were at the instigation of the Committee, as they strengthened the control relating to the delegated powers in the Bill. The amendments ensure that the subordinate legislation to provide the framework for the constitution and procedure of appeals panels that will decide appeals on individual applications for civil legal services will be subject to the draft affirmative resolution procedure on all occasions, as will the rules in respect of the assignment of solicitor and counsel where a criminal aid certificate has been granted. Given the significance of the powers, it was right to ensure that both pieces of subordinate legislation were subject to the appropriate Assembly control at all times.

Issues relating to the requirement in the Bill for the Minister to designate a civil servant in the Department of Justice as the director of legal aid casework and how the recruitment and appointment of the director would take place and whether there are adequate and sufficient safeguards to protect and ensure the independence of decision-making once the executive agency has been established and the director appointed to take decisions, particularly the provision for the Minister to issue directions, were raised and discussed during Committee Stage. While the Committee decided not to table any amendments, some members expressed reservations about both issues. The amendments proposed by Mr Elliott at Consideration Stage and at Further Consideration Stage were helpful in teasing those issues out, and the Committee was clear that the independence of individual decisions on the grant of civil legal aid by the director must be protected. The debates on the amendments were useful and provided further clarification in that area.

I congratulate Mr Elliott on being successful with one of his amendments. I know that he did not, on that occasion, get my support but, nevertheless, he subsequently demonstrated that he did not need it. Obviously, the force of the argument prevailed in the Chamber, and he will be able to speak on how he, in his opinion, has strengthened the Bill. I commend Mr Elliott on navigating an amendment through the House, which is an achievement in and of itself.

Finally, in my role as Chairman of the Justice Committee, I thank its members for their diligence in carrying out the scrutiny of the Bill in a short timescale. We agreed to do that as quickly as we could, but, in doing it speedily, we did not sacrifice any of the scrutiny that the Bill merited. Hopefully, other Committees can look at the Justice Committee and see that you can put legislation through quickly without compromising the scrutiny process. Having said that, we now have the Justice Bill before us, and we will be taking considerably longer than we did when dealing with this Bill. I thank departmental officials for their assistance during Committee Stage and our Committee staff for their support and assistance. I put on record my appreciation to those organisations that contributed to the legislative process by submitting written and oral evidence at Committee Stage.

I will now speak briefly as a private Member. This is a stronger Bill because of the scrutiny process that was applied to it. The Committee demonstrated that, when you go through a process and identity particular issues, and amendments are then brought forward — on this occasion by the Minister — through working together we can get a piece of legislation that, I hope, is fit for purpose, if I can use that phrase.

Other issues that we touched on included the legal aid budget and future legal aid issues. The Minister has highlighted scope, which, up until this point, the Department shied away from. However, having had a number of conversations with the legal profession, there is merit in looking at what aspects should be taken out of scope within legal aid, because we are spreading an ever-increasingly thin budget across a whole series of issues, and we are doing it in a way in which other jurisdictions do not do it. That is not to say that they have got it right, but I think that there is merit in the Department looking at that. I am sure that the Committee will want to consider those issues as well.

There were changes that the Committee supported by a majority vote around the current level for criminal legal aid fees, and I trust that the Minister will bring forward the statutory rules for that. Members will then be able to take a final vote on the issue.

There is also the issue of civil legal aid, and, to date, the Department has failed to bring forward any reform proposals. It brought a raft of recommendations to the Committee back in June 2013 that would have saved in the region of £13 million, but, a year later, it had to come back and say that it had got its methodology wrong and that it was back at the drawing board. A year's time has been wasted, and the Committee is still waiting for recommendations to deal with civil legal aid some 18 months after the issue was first highlighted. That is in a Department in which budget constraints are pretty acute, and the Minister has highlighted those repeatedly over the past number of weeks. Nevertheless, the Department has failed to reform the civil legal aid aspect of the legal aid budget.

We need to get into that area and look closely at it, because there are aspects of it, particularly in family law to do with representation and issues such as non-molestation orders, that will need some scrutiny to make sure that we do the right thing. However, in the absence of the Department bringing forward substantive proposals, we are not able to do our job. I appeal to the Minister to get on with that piece of work and allow members of the Committee to do their job, and together we can try to get a legal aid system in place that is better than it currently is. I commend the Bill to the House.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle.

First, we are satisfied with the terms of the Bill to set up an executive agency within the Department of Justice for the delivery of legal aid. Sinn Féin had concerns about the power of the Minister to direct the director of the new agency, but we particularly welcome the increased transparency, accountability, efficiency and independence. We are also satisfied that the Minister is bound by legislation. Any reclassification of cases will be decided on the Floor of the Assembly. We are also satisfied that the Minister has no power to direct any individual cases, as he said at the outset.

We are also supportive of the second aim of the Bill; to appoint the Lord Chief Justice as head of the Coroners' Courts and presiding coroner. It should ensure more efficiency in the Coroners' Courts service, particularly in the field of inquests.

Mr A Maginness: I support the Bill. Along with my colleagues in the SDLP, I think that this is a good and a much-needed Bill in reforming the Legal Services Commission; bringing it closer to the Department; giving it more resources; and making it a much more effective organisation. It has long been criticised, and I think that, in one report, the Criminal Justice Inspection described it as being not fit for purpose. In any event, the reform is overdue and we welcome it. I think that everyone recognises the need for such reform. Those in the legal profession and the stakeholders are all supportive of it.

We, along with colleagues in other parties, expressed concerns about the independence of the director of legal aid casework. My colleagues and I are satisfied that measures have been put in place to guarantee that independence, particularly in relation to the adjudication of individual applications. The Minister has given reassurance to the Assembly on that issue. I think that it is important to maintain that independence and to maintain that independent scrutiny and determination of legal aid applications without fear of ministerial intervention.

Mr Elliott brought forth some interesting amendments, as the Chair of the Committee mentioned. I had great sympathy with the amendments that he brought and, indeed, supported at least one amendment that was successful. It was an important contribution to the overall situation that we find ourselves in here with the Civil Service. We bring people in from outside, where possible, to revitalise it. I think that that is an important measure and should be welcomed by all. I hope that even the Minister, on reflection, may see that as a worthwhile proposition. Mr Elliott showed the House that useful amendments could be made to legislation, and that was an important contribution to the whole process of passing the Bill.

The Committee worked well with the Department on the Bill. There was a degree of cooperation, and I think that the Department took on board quite a number of issues that the Committee raised. I agree with the Minister when he says that we have to improve management, control costs and look at the efficiency of the system. Those are very important aims, and I hope that they will be achieved through the passage of the Bill.

5.45 pm

The appeals panel provides an important guarantee for applications for legal aid. Of course, the arrangements for the panel will be determined by secondary legislation and the House will have an opportunity to scrutinise that. It is a very important element, and the fact that the Minister agreed to a three-person panel, albeit that it is as yet undecided whether it will be composed of lawyers, non-lawyers or a combination, nonetheless —

Mr Ford: Will the Member give way?

Mr A Maginness: Yes, I will give way.

Mr Ford: I am grateful for the Member's positive comments. I just want to inform him that the legislation will require that the chair of the panel is a lawyer. The other two posts will be open to but not necessarily filled by lawyers.

Mr A Maginness: That reflects the concerns that were expressed that those who are involved in the system should be intimately involved in the system of scrutinising applications on appeal. That is important, and I am grateful to the Minister for recognising that in his changes and for pointing out so clearly to the Assembly what he envisages.

The Bill is a good example of Members working together. We may not have got it right earlier today, but we have got it right this afternoon.

Mr Elliott: I am here on behalf of the Ulster Unionist Party to support the Bill. It took a long time to get the Bill started, but, as the Chairman of the Committee said, at least we moved on it quickly and got it through its processes in as speedy a fashion as possible.

The purpose of the Bill is obviously to end the Legal Services Commission. That process has had a lot of criticism. The Chair of the Committee indicated that a lot of the criticism that has been directed towards legal aid and the overspend on legal aid has been directed at the Department, maybe unfairly. Obviously, a tightening of the process is required, and I anticipate that the Bill will help with that. There is no doubt that the legal aid bill and its management were rolling out of control, so I hope that this will go some way to resolve that criticism and the issues that are in the public domain.

I had some difficulties with two aspects of the Bill. One of the amendments I tabled that was not supported was about the power of the Department to compel the director of the agency to comply with its directions. I appreciate that Mr Maginness — I think that it was Mr Maginness or Mr Lynch — indicated that the Department cannot compel the director on individual cases. However, there is still that power to compel the director, and I feel uneasy about that. We will see how the outworkings of that go, and, at least, the couple of amendments that I tabled created an open debate about that and allowed the Minister to clarify a number of issues, which, I believe, will be helpful in the long term. What the Minister said in the House has relevance to any case law that may come ahead of us. I hope that it does not get to that point, but at least it is there.

My other amendment, which got approval in the end, concerned the process by which the appointment of the director will take place. I am pleased about that, and I heard the Chair of the Committee, Mr Givan, make a rare comment of praise for me. Mr Givan praising anybody in the House should maybe go down in history. Anyway, thank you very much, Mr Givan. That is appreciated. Even though I did not have his support, I genuinely feel that the amendment was right. I wanted to make the competition and process for that position much more open. The Minister intervened to Mr Maginness earlier and indicated

that the chairman of the panel will be a lawyer. Sometimes, you do not want lawyers all over the place or to have footprints all over everything. However, in many areas in Departments, it is important that people have experience and knowledge of the role that they are playing and that they are not just there on the basis that they are good administrators. It is helpful if they have a knowledge of the role. You need an outside pair of eyes looking in, and you certainly need experience.

I thank the Members who supported my amendments, particularly the successful amendment. I know that that was not what the Minister wanted to achieve, but I hope that he will happily work with it in the sense and spirit in which it was meant.

I support the Bill. I thank the Bill Office for its assistance with the amendments that I tabled; I thank the Department, which was always upfront in discussing the issues with the Committee; and I thank the Justice Committee officials for their help and support.

Mr McCarthy: Like others, I welcome the Bill reaching its Final Stage this afternoon. The Bill is yet another stage in the Justice Minister's wide-ranging and far-reaching reforms of our justice system. In an Assembly in which we are often criticised for passing too little legislation, our Justice Minister, as expected, has consistently advanced an ambitious legislative programme.

The new structures should allow more effective financial management and forecasting, providing much-needed confidence that everything that should be done to manage the legal aid budget in a time of severe financial pressure is being done.

In the Bill's early stages, the Assembly debated at length and in detail Members' desire to ensure that, when the Legal Services Commission becomes the legal services agency, the independence of decisions over granting legal aid will be protected.

Members should be well aware of the Justice Minister's determination to respect and protect the structures and procedures of the justice system, which are designed to prevent political interference in what should be independent matters. The Justice Minister repeatedly reminds Members of the importance of his respecting the independence of the judiciary and the Public Prosecution Service, the operational independence of the Chief Constable, the role of the Policing Board and so on.

Members can be confident that the Bill, with all its safeguards and the Minister's record, will ensure that decisions on the granting of legal aid will be taken in the way in which they should be taken: independently and without political interference or influence. Rather than increasing the role of the Minister, the Bill transfers some responsibilities that currently rest with the Minister to the new director of legal aid casework.

In conclusion, the Assembly can vote to pass the Final Stage of the Bill and be confident that it is backing moves to secure and strengthen independent decision-making, to protect access to justice and to improve financial management at a time when it is desperately needed. I support the Bill and commend the Minister for his ongoing programme of work.

Mr Ford: I thank Members for their comments. At this time of the evening, I also thank them for their brevity.

We have an extremely good Bill in so far as it relates to legal aid. The Bill's safeguards demonstrate a commitment to ensuring that legal aid is managed robustly and independently by the new director of legal aid casework. There will be support from the Department, from the Minister and from officials, but individual decisions on legal aid will be a matter for the director. The independence of his role is guaranteed completely, and, as was highlighted in the debate, the role of the appeals panel will ensure that.

We had good proposals regarding independence. I note that Mr Elliott hopes that I will agree with what he has proposed about independence. I always wanted the same level of independence as Mr Elliott. My problem is that I am not quite sure that his wording gives reality to what we all want to see.

The important issue is that we will work to ensure proper independence and accountability.

The issue of directions was highlighted. It is absolutely clear that, first, they will not relate to any individual case; secondly, they will not relate to the scope of cases; and, thirdly, any directions will be published, and there will be complete openness in how that is done, subject to Assembly scrutiny of the proceedings as they go through. So I believe that we have the answered the points raised by a number of Members. The changes made to subordinate legislation, which came through at Consideration Stage after discussion between the Department and the Committee, were significant.

There was a suggestion that the Department was shying away from reforming the scope. That will be considered in the second part of the access to justice review. I am not sure that "shied away from", as opposed to "sought to avert", given the difficulties that have arisen in other jurisdictions, is quite the right phraseology.

On the effectiveness of the commission, it is clear that its current operation suffers because it does not have the advantage of the economies of scale that it would have if it was part of a bigger or wider organisation. Legal aid administration costs have doubled since the Legal Services Commission was set up. That is not sustainable. The agency will be tasked with bringing those administration costs under control.

On the wider issue of costs, let me say in answer to the Chair that the proposals for further reforms to civil legal aid will be with the Committee within weeks. I believe that the revised proposals represent something that is entirely robust and is sustainable in a way that will ensure that we do not continue to have problems in that area.

I am grateful that the Committee last week agreed with a set of proposals for criminal work, although it is unfortunate that it took rather longer than the Chair or I had hoped.

Almost universally, what seems to happen at this stage of any justice legislation is that I praise my officials, Committee staff and Committee members, and we should accept that. I am not sure whether it is pertinent to repeat Alban Maginness's comment about getting things wrong earlier today, but we have certainly got this right. We got things right over the weeks and months that the Committee was carrying out its role. I repeat my thanks to the Committee, its officials and my officials for the constructive way that suggested amendments were dealt with.

The Bill is a major step forward, but it is only another step in a major programme of reform of legal aid. It will provide a firm foundation for the future, and I commend it to the Assembly.

Mr Deputy Speaker (Mr Beggs): Before we proceed to the Question, I remind Members that, as section 84(2)(b) of the Justice (Northern Ireland) Act 2002 applies, cross-community support is required.

Question put and agreed to.

Mr Deputy Speaker (Mr Beggs): As there are Ayes from all sides of the House and no dissenting voices, I am content that cross-community support has been demonstrated.

Resolved (with cross-community support):

> *That the Legal Aid and Coroners' Courts Bill [NIA 33/11-15] do now pass.*

Mr Deputy Speaker (Mr Beggs): I ask Members to take their ease for a few moments.

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

Committee Business

Older People: Review of Supported Living

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

6.00 pm

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

> *That this Assembly welcomes the Committee for Health, Social Services and Public Safety's review of supported living for older people in the context of Transforming Your Care.*

In September 2013, the Committee for Health, Social Services and Public Safety agreed that the scrutiny of Transforming Your Care (TYC), the implementation of Transforming Your Care and its impact on older people would be one of our strategic priorities for the 2013-14 Assembly session. The 'Transforming Your Care Strategic Implementation Plan' states that, for older people, one of the significant changes and benefits over the next three to five years will be an increase in community-based alternatives to residential care, which will involve different styles of independent living. The plan then went on to state that, due to the improved availability of these types of community-based alternatives, it is expected that the demand for statutory residential homes will further decline. That, in our view, was quite a bold statement, and the Committee decided that it wanted to drill down further, given that what is being envisioned appears to be quite a radical shift in the types of services being offered to older people.

Furthermore, given that the future of statutory residential homes is a live issue, the Committee believed that it would be a good time to carry out a review into exactly what the supported living options for older people are. The Committee's report, therefore, contains 11 recommendations, some of which my colleagues will cover in some more detail. I wish to focus the remainder of my remarks on three particular recommendations, which all concern the requirement to better forecast and plan the need and the demand for supported living places for our older people.

The first is planning and projections for supported living facilities. One of the issues that the Committee saw as a priority was whether there are, indeed, long-term projections for the need for supported living facilities for older people. When we initially discussed this with the Department, we were somewhat surprised when officials advised that they did not have long-term projections and did not recognise a need for such projections. Officials argued that it was not necessary to have an exact view of how many facilities might be needed, but rather individual choice in terms of care options was more important. Officials also stated that, even though we know the older population is increasing and will increase further, this

cannot be used as a basis for working up figures for what the demand or need for supported living might be. The Committee found that quite confusing.

The Committee, therefore, queried this line of reasoning, and we were not alone. The Older People's Commissioner told us of her concern that there does not seem to be any publicly available departmental planning or modelling data for supported living. She argued that planning was essential in the appropriate provision of services for older people. The Older People's Commissioner also made the point that any planning that does exist appears to be short-term in nature. The Federation of Housing Associations also made a similar point and stated that there needs to be more long-term planning around supported living, beyond the current three- to five-year cycle of the Supporting People programme.

Towards the end of its review, the Committee again raised the issue of long-term planning with the Department. This time round, however, the Department argued that long-term modelling was not desirable because there was too much risk of creating overcapacity and potential voids. Officials reasoned that the current planning structure used in the context of the Supporting People programme, whereby plans are made to build specific facilities in specific locations over a three- to five-year period, is sufficient. The Department further advised that, under the Supporting People programme, seven more facilities to cater for 155 tenants will be opened within the next three to five years. This seemed a very modest provision to the Committee. We challenged the Department as to whether the 155 places in the pipeline represent what is required for our ageing population, as opposed to what is required based on need. The Committee also made the point that, given that the majority of current facilities are at full occupancy, the creation of only seven new facilities may not offer all older people a choice of moving into one.

The Department advised us that it needs to plan for nearly full occupancy to make facilities financially viable, and added that people may have to wait for a short time at home for a place to become available. However, of particular note, the Department could not provide figures for how many people were in this position — in other words, how many people receive domiciliary care in their own homes who could also be supported in supported living accommodation. The Committee, therefore, was not convinced of the Department's arguments as to why long-term modelling is currently not being undertaken. We believe that, given the known projections around the ageing population, it should be possible to work up projections around the percentage of older people who could potentially choose to be suitable for supported living.

The Committee does not accept that the current approach of planning for individual facilities over a three-to-five-year period is sufficient. In our view, a more long-term approach is required. The Committee therefore recommends that the Department should begin forecasting the need and demand for supported living places over a 10-year period. The indicative forecasts should be kept under review, and they should be reassessed when decisions are being taken to build new facilities. We also recommend that the Department should begin collecting data on the number of older people supported in their own home through domiciliary care who would be suitable for supported living models, in order to provide a fuller understanding of need and demand.

I will conclude by adding a few remarks of my own as a constituency MLA. I returned last week from a visit to the Scottish communities, health and well-being projects in the greater Glasgow area. It is very apparent that the Scottish Government's focus has been on health inequalities and preventative spend. Communities there have had up to 20% of the budget in terms of delivering and reshaping care for their older people. There are clearly lessons for the North of Ireland in protecting, promoting and enhancing choice for our older people and communities.

This was an important piece of work that the Committee undertook in terms of our scrutiny role in Transforming Your Care. It was very apparent that, whilst we talk about an ageing population and we know the statistics for 2020, we had no clear forecast model or planning in place to deal with that eventuality, now or in the future. I ask the Assembly to support the motion and the recommendations in the report. Go raibh maith agat.

Mrs Cameron: As a member of the Committee for Health, Social Services and Public Safety, I support the motion. I welcome the review of supported living for older people in the context of Transforming Your Care.

The population of Northern Ireland is growing at the fastest rate in the UK. In relation to today's motion, it is worth noting that, by 2020, the number of people over 75 years old is expected to increase by 40% from that in 2009. The number of people aged over 85 is expected to increase by 58%. Whilst longer life expectancy and good health are things to be celebrated, it is clear that a strategic plan for helping our older generation to live as independently as possible for as long as possible is a matter of great urgency.

One of the core principles of Transforming Your Care centres on home being the hub of care for older people. However, we still have an over-reliance on acute and unplanned services to respond to crises. Rather than that firefighting approach, we must move towards a proactive, preventative and holistic service to maintain the health and well-being of older people, rather than the current dependence on institutional and hospital care. Research suggests that that preventative approach can deliver better outcomes for older people, with fewer hospital admissions and shorter lengths of stay. Indeed, the appetite for remaining in their own communities is evident amongst the vast majority of older people whom I have spoken to in my constituency of South Antrim.

That said, the confusion that exists around the definition of supported living has created a degree of ambiguity that must be overcome by the Department in order for the proposals to progress. For the purposes of the motion, I refer to the Department's latest definition of supported living:

> *"we consider 'supported living' to encompass a range of health and care provision, health-related adaptations, housing accommodation and housing support services that are designed to help vulnerable people to retain their independence in their community."*

Some of the confusion in the definition of supported living has, no doubt, led to a lack of public awareness of the services available. It is clear that, when people are in full receipt of the information and advice on the services

accessible to them, they are in a position to make an informed decision on what is most suitable for them. The awareness of supported living will therefore make them more likely to choose the concept, should their health begin to deteriorate.

Responsibility for disseminating the information falls to the five health and social care trusts, and it is that task that, the Committee feels, is not being carried out as effectively as it should be. So that the information reaches all potential service users, it is vital that the five trusts formulate an action plan setting out their proposals for raising awareness of the concept of supported living for older people as a model of care, as well as proposals for better promoting the facilities in each area. It is evident that some of the trusts have made inroads into promoting the concept while others have been found lacking. I appreciate that, in these days of technological advances, many of us receive our information through social media or websites. However, the target audience of the information cannot be forgotten. Whilst many of the potential service users are familiar with those methods of communication, many more would prefer to receive information and knowledge through more traditional means. It is, therefore, incumbent on each of the trusts to engage with all sections of the community, such as housing associations, GPs and community groups, to ensure that the information is received by the appropriate persons. It is also vital that the information that is placed on the trusts' websites provides clear and concise material on the concept of supported living and how it differs from residential care.

The concept of supported living is key to the success of Transforming Your Care. However, the key to the success of supported living is in ensuring that the information is received and understood by its potential service users before their need arises. I trust that the Health and Social Care Board will accept the Committee's recommendation to ensure that each HSC trust develops and promotes both the concept of supported living and the facilities in its area.

Mr McKinney: I welcome the opportunity to speak on today's important motion, as SDLP health spokesperson and a member of the Health, Social Services and Public Safety Committee. I endorse the comments of other Members in relation to the report. I confine my comments largely to recommendations 4 and 5.

The Committee recognises the importance of implementing the Transforming Your Care plan. Part of that implementation involves the development of supported living facilities, which provide a vital service for vulnerable people and for necessary care and independence, allowing them to be part of the community and to retain relationships important in everyday life.

Perhaps the greatest issue holding back the further development of supported living facilities has been the issue of vacancies or "voids", as they are known, in the current facilities and their financial implications for housing associations. The Committee is aware that, although some facilities have waiting lists, there are voids in others. They are present across all five trusts to differing extents and remain of particular concern. That relates to evidence provided to the Committee by the Northern Ireland Federation of Housing Associations, which has pointed to significant voids in some supported living facilities that have serious financial implications for that housing association. The federation identified that:

> *"A particular issue is that it often seems to take longer to fill the schemes than a housing association and its respective trust expected."*

There must be greater liaison between Departments, trusts and associations and the adoption of thoroughly considered action plans to minimise the potential for those voids. Under the current system, all the financial risk is taken by the housing association, and the voids have the knock-on effect on it of having to incur unbudgeted and unsustainable losses. One prominent example of that is Gnangara in Enniskillen, where losses are estimated to be around £1 million. That, in turn, acts as a disincentive to the housing association, not just in Fermanagh but all across the North.

6.15 pm

To stimulate further development, the Committee believes that consideration must be given to risk sharing and that, if further developments fail to meet the target, the trust and the housing association should take the weight of any financial shortcomings. Although that is, of course, not the objective, risk sharing may in fact act as an added incentive for the trusts to promote their supported living facilities better. In that regard, the Committee is formally recommending that the potential of the trusts to take on an element of risk sharing with the housing associations be further explored.

The Committee also recommends that there should be more joint planning between the trusts and housing associations before decisions are made to commission new facilities. Although there has been some dialogue between the Departments on the potential for risk sharing, DHSSPS appears reluctant about the idea. There needs to be further communication and transparency. There must be clear evidence that sufficient numbers exist to fill new developments, with a relevant timescale and an effective action plan in place.

Recommendation 5 relates to research into Gnangara and Hemsworth Court, which is a similar facility. The Committee notes with great concern that there were serious shortcomings at Gnangara and Hemsworth Court. A bespoke piece of research was being planned to analyse those shortcomings and what action could be taken to rectify them, which would provide valuable insight — so the official said — and help facilitate the overall development of supported living facilities. The Committee is aware of the Departments' plan to conduct such research. However, it was estimated that that would cost £500,000 over a two- to three-year period. The Committee questions whether, in the current financial climate, it is economical for the Department to outsource such research. It is therefore recommending that the Department should not commission researchers or consultants to evaluate and review Gnangara and Hemsworth Court but rather that that work should be carried out by officials from the Departments and/or their arm's-length bodies as part of their existing roles.

Finally, the first of the recommendations again reflects, consistent with earlier comments, a lack of strategic thinking and a failure to collect and evaluate information about projected need, especially against the projections in TYC. If we do not do that, not only are we failing our older

people now but we will fail the next generation of older people. I support the motion.

Mr Beggs: On behalf of the Ulster Unionist Party, I rise as a former member of the Health Committee and someone who contributed to the report that has now been completed and presented to the Assembly. It was a very useful piece of work, and I commend the Committee and its staff for their work in the area.

On a personal level, a number of members of my extended family are at the stage at which they need additional help and support. Along with my constituents, I see the pressures that are on families and the limited choices that are often available. This was a very worthwhile area to investigate. As has been said by other Members, Transforming Your Care clearly flagged up the issue of supporting independent living, but it appears to me that not enough has been done to develop that strategy and implement options. Options for individuals and families are vital, because each person will have individual needs, and the more options there are, the better.

As part of our investigation we visited Cedar Court in Downpatrick. I think that every member of the Committee was very impressed by the facility. Having had an opportunity to speak to the residents, I felt that it was clear that they were very content with their facility and the support that they received. I was struck by one individual who indicated that he had regained a degree of independence and was now able to use his free bus pass to travel widely, when previously he was restricted. Having appropriate care is clearly vital.

The difficulty with supported housing is that it is not widely known about. Many people are unaware of it. Indeed, there is a large degree of confusion in the various bodies. First of all, we had the Department, in its evidence in February, indicating that there were 414 supported living accommodations. Then, on 26 March, we had the trusts indicate that there were 18. The trusts and the Department were not even able to agree the terminology between them. Then, we had the Northern Ireland Federation of Housing Associations giving evidence. It was very clear about the difference between sheltered housing and supported living. When I took the opportunity to cross-examine some of its witnesses, they made it clear that supported living was the "next step up". That was one of the comments made. They also said:

> *"It is usually for people who need an element of support to maintain their tenancy and an element of care."*

Around that time — in fact, two days earlier — a letter was received from the Department indicating that it was now going to review the terminology. In the middle of a study by the Committee in which we had unearthed confusion, the Minister and the Department decided that they would review the terminology. Clearly, in the course of our work, we had highlighted that there was a problem. I welcome the fact that that was taken on board, but it is a sad state of affairs that the Committee had to unearth that situation. As the issue proceeded and further evidence was gathered, it was clear that members of the administration that looks after supported living were making it up as they went along.

We then received a document entitled 'Supported Living', which looked at how support was provided for the "frail elderly". I know that none of my relatives would want to go into accommodation for the frail elderly; they would want to go in to receive additional support. When I highlighted that issue to officials, some of them changed their ideas and the term "extra care housing" was then used. Again, they were sort of making it up as they went along. Of course, in Northern Ireland, there is a body called Extra Care that provides domiciliary care. It is clear that, as the Committee has recommended, there needs to be a clear review of this area and wide agreement between the housing associations, health trusts and those who represent older members of the public so that terminology can be agreed, confusion can be removed and appropriate planning can be made for all levels of accommodation.

Mr McCarthy: Like others, I am grateful, as a member of the Health Committee, to say a few words this afternoon in support of this important motion. Indeed, I take the opportunity to welcome the presence of our former Health Committee colleague in the form of Mr Jim Wells, who is now our Minister. We can expect nothing but positive results and responses, I am quite sure.

Mr Wells (The Minister of Health, Social Services and Public Safety): Will the Member give way?

Mr McCarthy: I will surely.

Mr Wells: I thank the Member. I note that he is the only member of the Committee to welcome me to this position. I think that bodes badly for future debates. Thank you very much. I was not expecting that. It is much appreciated.

Mr Principal Deputy Speaker: The Member gets an extra minute of course. *[Laughter.]*

Mr McCarthy: It is a pleasure. We will expect positive results.

Like others, I wish to put on record my sincere thanks to the Committee Clerk and her staff for all their work and the help that they gave members, the research staff here in Parliament Buildings and of course all those who gave evidence as we proceeded with our review. At this point, I have to declare an interest in the subject and say how important it is for the Assembly to show its appreciation to senior citizens for the contribution that they have made to this society. We have a duty to ensure that, when people reach pension age, they receive proper help and assistance, whether that is housing or anything else, and that the Assembly can and will rise to the challenge.

Today's motion is about supported living in the context of the Transforming Your Care blueprint. Our review, as the Chair has already said, concluded with 11 recommendations that we ask the Assembly to endorse and the Department to accept and implement at an early date.

It was clear from the evidence received by the Committee that there is a lack of an agreed definition in this area and, even worse, that different agencies are themselves working to different definitions. We welcome the increased policy focus on the delivery of services in the community, in common with other aspects of Transforming Your Care, but, critically, that must be backed up with resources. In addition, beyond the consideration of resources, there is a need to ensure that provision is in place to combat social isolation, particularly for older people who do not have relatives or close friends living nearby.

Mr Beggs: Will the Member give way?

Mr McCarthy: Briefly.

Mr Beggs: Does the Member agree that it is important that what is widely known as supported living is available in each area, so that independent living can occur and be in easy reach of friends and family, such as at Greenisland House and Lisgarel in Larne?

Mr McCarthy: Absolutely. I fully agree with the Member.

The review's first recommendation is very significant, in that it deals with the establishment of a new definition for supported living. We say that the Health Department should consult representatives of our elderly population, and there are many — the Age Sector Reference Group, the Pensioners Parliament, Age NI and others, including the Older People's Commissioner for Northern Ireland. The Department should also consult and work with, as has been said, the Northern Ireland Federation of Housing Associations and other relevant stakeholders.

Along with other Members, I was delighted to join the Northern Ireland Federation of Housing Associations here at Stormont, last week, to show our support for its present campaign — I will show Members the picture — Let's keep on Supporting People. It is vital that we get behind those efforts to protect and strengthen this vital programme. Every year, Supporting People assists some 26,000 vulnerable people throughout Northern Ireland in a wide range of accommodation-based and floating support services. Among those helped are older people, people with learning disabilities and homeless people. A wide range of support is provided to help people live as independently as possible. That is the important aspect of what we are discussing today: improving quality of life and reducing demand on the health and social care systems.

In conclusion, we strongly recommend that the Department does not relabel supported living facilities as schemes for the frail elderly, as has already been mentioned by other Members, given that the purpose is to promote older people's independence and support them in what they can do, rather than focusing on that which older people cannot do. I hope that the contents of the report, which is far-ranging and was well worth doing, will be recognised by the Department and the Minister. I support the motion.

Mr Dunne: I, too, welcome the motion and the work that was done by the Health Committee in providing the report on the review of supported living for older people. During the controversy over the proposed changes to residential care resulting from the Transforming Your Care programme, which we are all fully aware of, it was clear that there was a real issue around the provision of alternative suitable accommodation for elderly people. From the evidence that we have gathered, it is clear that many people were not aware of the opportunities and alternatives that were available or, in many cases, were not available. So, it is absolutely recognised that there is a clear need for the provision of such alternatives by the Health Department, in a joint effort with DSD. The Committee clearly recognised the need for such provision throughout our community. In many cases, the buildings for supported housing will be provided by housing associations, such as Fold, and the management of same will be run by the trusts.

During our discussions, as has already been mentioned by other Members, there was a clear issue in relation to a difference of understanding of the terms, what supported living really means and how it varies between the Health and Social Care Board and the trusts. In 2012, 'Who Cares? The Future of Adult Care and Support in Northern Ireland' was commissioned by DHSSPS and DSD. The report clearly stated that supported housing provided people with that little extra help and security while enabling them to remain in the domestic environment for as long as possible.

6.30 pm

The Northern Ireland Federation of Housing Associations describes supported living as being an option for a significant proportion of our ageing population. The Health and Social Care Board talks about supported living for suitable people who need care and house-based support to allow them to live in their own accommodation. It is clear that there is a group of people who cannot live or choose not to live on their own any longer and need a level of support. However, the trusts have a different approach.

The Belfast Trust stated to us that it was suitable only for a very small percentage of older people and that it was an expensive model of care, which is very specialised and expensive on the capital and revenue side. It needs to be targeted at people who are most in need and would most benefit from the model. This would not be open to every older person who wants to live in a community-type environment. Therefore, from the Department's and the trusts' point of view, given that supported housing is expensive, it is very targeted at those who would most benefit from it.

There are mixed messages out there about the criteria and the definition of supported living and what it means to many organisations. We need clear leadership on the provision of supported living. We need a joined-up effort between the Department of Health, the health trusts and DSD.

The provision of suitable accommodation for our older people must become a priority. The definitions need to be clear and based on need and demand. I look forward to the new Minister giving us all the answers.

Mr Brady: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also support the motion. It would be churlish not to welcome the Health Minister here. I think that this is his first debate.

Mr Wells: Two — *[Interruption.]*

Mr Brady: Kieran pre-empted me, but I would have said it anyway because it is good to see the bridesmaid becoming the bride, if you will excuse the language.

There has been a long-term policy aim to shift care from institutional settings such as nursing and residential homes to a greater provision of services for older people living in their own home or in supported accommodation. The Supporting People programme was introduced in 2003, with the aim of commissioning housing support services to improve the quality of life and independence of vulnerable people. The new Supporting People strategy from 2012 to 2015 is aiming to build on the success of the original strategy.

The total supported housing budget spend for older people's services in 2012-13 was £8·93 million, and 425 accommodation-based services provided housing to over 10,300 people. Sheltered housing is the main form of provision for older people, but some more specialist supported living provision also exists for frail older people and

older people with dementia. In addition, 10 floating support services support 345 people at any one time at a cost of £604,800. Those services cater for a range of clients from isolated and rural people to people with mental health and dementia needs. There is funding for two home improvement agencies, whose role is to advise and assist applicants who have a disability through the home improvements grant, in particular disabled facilities grants, and older people with a disability are the main recipients of that service.

At the moment, the majority of services for older people are provided by housing associations, with a number of services provided by the voluntary and community sector and the health and social care trusts. At this point, I will commend the voluntary and community sector for the work that it does in helping in that area of need. Caring for the ageing population is a complex, cross-cutting issue, and there has been a tendency to react to crisis events rather than having preventative support. There remains a heavy reliance on formal residential and nursing home care and informal care in the role of unpaid carers such as family members, and I will mention them later.

Here in the North, the number of people aged over 65 is expected to increase by 40% between 2010 and 2025. The number of very elderly people, those aged over 85, is expected to almost double. This means more people with long-term illnesses and disabilities. People are living longer but not necessarily more healthily. Obviously, this has implications for how and where people are cared for. The majority of older people want to remain living in their home, and policies such as Transforming Your Care have attempted to reflect that. However, the concept of care at home and in the local community is not new.

Older people are the largest group of users of community health and social care services. They account for one fifth of the budget, currently £700 million. Keeping people at home or in less formal types of care is further complicated because responsibility for many aspects of housing rests separately in the Department for Social Development. As a member of the Social Development Committee, it is easy to see the cross-cutting and overarching issues. TYC lists older people as one of its key commitments and seeks to reduce the number of older people in formal care. TYC states that it wants to help older people to live independently:

> *"at home or in supported accommodation".*

However, in the follow-up strategic implementation plan, the wording has evolved somewhat to older people living independently:

> *"at home or in assisted housing".*

These are two different concepts, and clarification is certainly needed. I know that one of the things that the Committee wants is clarification on what supported housing actually means.

I want to mention specifically the role of unpaid carers. Many older people who require some form of care depend on the invaluable role of informal, unpaid carers at home, whether they are family members or friends. It is estimated that unpaid carers save the health service here around £4·4 billion every year. Yet, a lot of these carers are older people who will eventually need to have someone care for them. If we are to implement TYC, which someone described as a vision without action, we need to put in place an infrastructure of proper domiciliary care and proper support for carers.

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

Mr Brady: I just want to make the point that we need to bear in mind that carers will be one of the groups affected by the advent of welfare cuts.

Mr G Robinson: First and foremost, I congratulate the Minister on his appointment to the post of Health Minister. I also take this opportunity to thank him personally for his very successful visit to my East Londonderry constituency last Friday. I can truthfully say that the Minister's visit was very much appreciated. Thank you very much.

I am a new member of the Health Committee. The debate focuses on people having the services that they require to maximise the number of people living in the correct surroundings to suit their personal everyday needs. Many of the older generation and their families whom I have spoken to in my constituency welcome that.

Recommendation 11 states that the Health Department and DSD should work closely on developing housing options for older people. This could range from care in their home to requiring a nursing home placement, but it must be primarily dependent on a patient's medical needs.

We all appreciate that living in the correct surroundings is beneficial to the individual, especially so for mental health patients as the services that they need are carefully provided. Someone who needs just a little help and support to stay at home should not be taking up a residential or nursing home place, as that is detrimental to them personally.

Mr Beggs: Will the Member give way?

Mr G Robinson: I am carrying on.

Indeed, it is not cost-effective. As DSD helps to fund placements, it is critical that we ensure that the best possible solution is found for all parties involved, hence the need for close interdepartmental working. We all wish for the best health outcomes for older people, as the motion states. However, we must also ensure that we deliver the services required and in a manner that we can afford. That is what Transforming Your Care is based on. I ask the House to support the motion.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Éirím inniu mar bhall nua den Choiste Sláinte le tacaíocht a thabhairt don rún. As a new member of the Health Committee, I support the motion.

Tá fócas na díospóireachta inniu dírithe ar mholtaí an Choiste Sláinte a tháinig amach as a athbhreithniú ar chur i bhfeidhm Ag Athrú do Chúraim, go háirithe maidir leis na himpleachtaí ar mhaireachtáil thacaithe do dhaoine níos sine.

Today's debate focuses on the recommendations of the Health Committee report arising from its review into the implementation of Transforming Your Care, particularly what it means for supported living for older people. I wish to look at recommendation 9, which calls on the Department to review the current indicator of performance for older people living in supported living facilities for the indicators of performance direction for 2015.

When the Committee was listening to evidence from the various stakeholders earlier this year, it became clear that there was a lack of clarity on the definition of supported living, which was sometimes conflated with domiciliary care, supported housing and sheltered accommodation. Correspondence from the Department provided a definition for supported living facilities. It stated:

> *"Supporting People funds a range of housing related support services for vulnerable older people to improve their quality of life and attain independence. These services can be provided in their own homes, or in hostels, sheltered accommodation or other specialised housing support".*

That definition suggests that the indicator —

Mr Principal Deputy Speaker: I ask Members to check if their phone is ringing. It is creating enormous interference.

Ms McCorley: Gabh mo leithscéal. The definition suggests that the indicator of performance covers older people living in a range of accommodation and not just the 18 facilities built under the Supporting People programme.

The five health trust areas across the North informed the Committee that there are 18 supported living facilities, while the Department gave evidence to suggest that there are 414 facilities. How does the current indicator of performance operate in the face of such a disparity over which facilities are relevant? Is soiléir go gcaithfidh aontú a bheith ann ó thaobh na saoráidí a bhéas san áireamh sa chatagóir maireachtála tacaithe. Clearly, it is imperative that there is agreement on which facilities are to be included in the supported living category. Without that, it will not be possible to collate accurate numbers of people receiving support. Furthermore, it will be impossible to assess the number of places required in the future.

A new indicator of performance, "Number of older persons living in supported living facilities", was produced for 2014-15. However, the Committee was surprised to learn that no target has been developed for that indicator. It is difficult, therefore, to imagine how the Department makes up its mind on what constitutes a favourable number of older people living in supported living as opposed to a poor number and how those numbers would indicate a good or bad performance by any individual trust.

The Committee, therefore, recommends that the Department reviews the current indicator of performance for 2015 and that a revised indicator be produced with an associated target, which provides an assessment of the trusts. Furthermore, the Committee recommends that the Department begins collecting data on the number of older people supported in their own home through domiciliary care who would be suitable for supported living in order to provide a fuller understanding of need and demand. Tacaím leis an rún. I support the motion.

Mr Wells: Mr Principal Deputy Speaker, it was a dull, quiet and somewhat unusually boring afternoon in this Building 20 days ago: I was at a meeting on the second floor; I looked at my phone, which I had checked half an hour earlier, and noticed that there were 14 missed calls. I then noticed that all of them were from the office of the First Minister. My immediate thoughts were that I was in very big trouble or that something significant was happening. So, I made my way down to the First Minister's office, and he asked me to take on this portfolio. After having said yes, I casually asked him, "When do I start?" He said, "In 15 minutes' time".

When you, Mr Principal Deputy Speaker, adjourned the Assembly, I was to go round to your office and sign the declaration of office. So, I had 17 minutes' warning that I would go from being a non-entity of an obscure Back-Bencher, which had been my lot for the previous 20 years, to becoming Minister of Health, Social Services and Public Safety. If I am surprised I am here, then, no doubt, most people in the Chamber will be equally surprised. I make that point for two reasons. First, I do not have all the answers. Therefore, in respect of several of the points raised, I may refer the Members back to the experts who will respond in writing through me.

6.45 pm

Secondly, my first 20 days in this job, which have been the most intense of my life, have given me an indication of the wonderful work carried out by my predecessor, Edwin Poots. I have nothing but admiration for his time in office and for the workload that he encountered and the decisions that he took. I feel very proud to step into Edwin Poots's shoes, and certainly I have nothing but praise for what I have witnessed both from the inside and the outside.

I also thank the members of the Committee. I had five years, two months and 14 days on the Committee, not that I was counting, and I enjoyed enormously my roles as Chair and Deputy Chair and the outstanding work of the staff of that Committee, who, in my opinion, were the top team in this Building when it came to servicing a Committee. I am told that I am not allowed to name them, but they know who they are, and they are an outstanding team. I also thank those who have welcomed me to this position, all three of you. I noticed that the Chair and many long-serving members of the Committee did not deem it worth their while to welcome me. Mr McCarthy, Mr Brady and Mr Robinson, I thank you.

Mr McKinney: Will the Member give way?

Mr Wells: Yes, Mr McKinney.

Mr McKinney: Will the Member accept that it was remiss of me not to welcome you to your new post and your first formal speech? I now welcome you.

Mr Wells: Thank you very much, Mr McKinney. I have forgiven you for that. I noticed that, when Mr Poots was made Health Minister, everyone welcomed him to the position, so I think that that bodes badly for me in the future.

I thank the Chair of the Health Committee for tabling the motion on this very important issue, and I very much welcome the Committee's review of supported living for older people in the context of Transforming Your Care. I have to say that I have to express the most sizeable of interests on this since I sat on the Committee throughout the formulation of this report and the hearings and agreed the report. Therefore, I have an interest to declare, but I hope that I can be a bit more detached now that I have moved from the Committee.

We know that everyone wants to stay in their own homes, with support if necessary, for as long as they possibly can. Older people have been telling us this for years, and, indeed, one of my Department's key priorities is to ensure, wherever possible, that people are helped to maintain their independence in their own home, whether that is in

a supported living environment or in their own personal home. I believe that that is vitally important.

Of course, everyone should have a choice about where they live, and, if they need help to look after their personal care, they must have a say in how those needs are met. Transforming Your Care underpinned this policy, and part of its vision was the key principle that the home should be the hub of care for older people. Many Members made that very important point. The logic of this will inevitably mean a corresponding reduction in the dependence on residential care.

I do not intend to get into the whole debate this evening on the residential care home issue. There will be many further opportunities to deal with that, but there is no doubt that many people would prefer to live in some form of supported living than in residential care. In fact, TYC made specific reference to reducing our stock of statutory residential homes, which prompts us to find better and more effective ways of providing care to our ageing population. I will not rehash all the demographic information, but I noticed that Mrs Cameron and several other Members quoted the very significant statistics on how we are going to become a more ageing population. Indeed, I was calculating that I will fall into the category of being part of that ageing population by the time that those dates arrive. It does have profound implications for our health and social services.

Regardless of who the Health Minister might be during future Assembly tenures, the amount of resources available to them will always be finite, so we must look to reform our services and the way in which we deliver them. It is vital that we take steps now to redesign our services so that people are supported to live longer and to live well in the heart of our communities. Only by doing this will we be able to provide the quality services that our older people are entitled to, both now and in years to come. We have to be very clear that this is something that will affect every one of us and our families at some point in the future.

There is already a wide range of community-based services in place that contribute to supporting people to maintain their independence in their homes. I do accept the point about definition. Under the definition that I have, there are 414 institutions looking after the needs of 10,000 people, but I accept that we need to refine the definition of that type of care.

Domiciliary care, the provision of personal care in a person's own home, is the main service used to help people to maintain their independence. The most recent statistics indicate that over 25,000 people in Northern Ireland are being supported to live at home by domiciliary care services, and the HSC is investing in the region of £160 million per year on domiciliary care services for older people. It is a significant part of the overall departmental budget.

Mr Beggs: Will the Minister give way?

Mr Wells: I certainly will.

Mr Beggs: Will the Minister accept that, for some individuals, it can be a very isolating existence if you have limited mobility and limited numbers of friends and family who are able to visit you? Supported living accommodation can provide communal living with independence, which many people wish to retain, and, therefore, it needs to be looked at and made a widespread option.

Mr Wells: Yes, I accept that older people living on their own with domiciliary care may not always be the preferred choice, although for the vast majority of people it is. Of course, I have experience of places like Cedar Court, which the Member mentioned, and St Paul's in Lisburn, which provide, I believe, the best of both worlds: the privacy of having your own front door and the ability to meet people with similar interests and have companionship. We must be prepared to give people choice, and if the choice is domiciliary care, we are investing a huge amount of money — £160 million — in that.

Mr McCarthy: I am grateful to the Minister for giving way, and I accept the figures that he has just given. Will he agree with me that, despite all those good efforts, a number of people, particularly in rural areas, are being denied community meals? That is simply because the criteria for receiving those meals have reached such a point that a lot of people are missing out. They are out of the loop and are not receiving the community meals.

Mr Wells: As the honourable member knows, particularly in the Southern Trust, we are in a process of re-enablement, which has often removed the need for community meals. Those services involve working for a limited period, typically two to six weeks, with individuals whose independence is at risk. They are supported to learn and re-learn skills necessary for daily living to rebuild their confidence and promote their social inclusion. The goal is a level of independence that will allow either discharge requiring no service or reduced services on an ongoing basis. Re-enablement services are being rolled out across Northern Ireland, with three of the five health and social care trusts already providing full coverage for their area. Self-directed support services offer service users and carers greater flexibility and independence by enabling them to tailor their support package to their individual needs. Also, assistive technology, such as Telemonitoring Northern Ireland, helps to support people, including older people, with chronic conditions at home.

Housing adaptations can help people to remain independent in their own home. Following a consultation last year, officials from my Department are working collaboratively with DSD officials to draft a final review report and associated action plan on housing adaptations built around the theme of home as the hub of care. Of course, supported living services are a key component underpinning the strategic concept of the home as the hub. They will improve the range of choices available to our older people if and when they reach the stage in their lives when they need purpose-built accommodation with person-centred care services as part of the package.

We have already seen examples of how supported living schemes can be a success. Barn Halt Cottages in Carrickfergus, for example, have been providing state-of-the-art accommodation and care services for a number of years. More recently, the Belfast Trust, in conjunction with the Department for Social Development and Helm Housing Association, has transformed the site of the former statutory residential home on the Shankill Road into a purpose-built supported living facility. Hemsworth Court is providing care and support in the heart of the community. Mr McKinney raised the issue of allocations in Hemsworth Court. At present, 33 of the 35 places have been allocated, and so I think that the concerns that he raised about the Enniskillen situation do not apply to that facility.

I am aware, however, that some issues surrounding the concept of supported living will need further work. The question of definition, for example, is an important one, as I mentioned earlier, and I am clear that more work needs to be done to clarify exactly what we refer to when talking about supported living.

That is important, because people need to be clear about the options available to them when making decisions about their care and support. Similarly, I am keen to ensure that information promoting the schemes is widely used — many Members raised the issue of the lack of awareness — to make certain that older people will have an opportunity to make properly informed decisions about what best meets their particular needs.

Some of the facilities have not filled as quickly as we might have expected, and Mr McKinney raised that point. That presents difficulties for our partners. We need to understand the reasons for that so that we can put measures in place to prevent underoccupancy. The Committee's report highlighted those issues along with others, and it makes 11 very helpful recommendations.

I will, of course, provide a more detailed response to the Committee in due course, once I have had an opportunity to consider how best to implement the recommendations.

Ms P Bradley (The Deputy Chairperson of the Committee for Health, Social Services and Public Safety): It gives me pleasure to wind on the debate. Although I have been on the Health Committee for just under three weeks, I sat on it previously. I believe that I have an understanding of the issue, not only through my membership of the Committee for Social Development but through my former career in hospital social work, where I worked predominantly in elder care and looked at the specific needs to promote independence and empowerment among our older population.

Before I start, I draw Members' attention to recommendations 10 and 11 of the Committee report. In recommendation 10, the Committee recommends that the Department clarify its strategic position on the links between the availability of supported living places for older people and the availability of places within statutory residential homes. In my research for the recommendation, I was absolutely astounded to discover that there is no clear-cut definition of what constitutes supported living, and there appears to be some confusion among the relevant stakeholders about what is meant by the term. Not only is there confusion over what is meant by it but there appears to be a level of confusion among housing associations, the board, the Department and the trusts on the types of people suitable for supported living accommodation.

According to the TYC document, the increase in community-based options such as supported living would see a correlating decline in the demand for the provision of statutory residential homes. In preparing for the debate, I was surprised to find that the trusts could not provide the Committee with a figure for how many people they expected to be placed in supported living facilities over the coming three years who would previously have been placed in residential homes.

The lack of strategic direction regarding the role of supported living in replacing residential placements is concerning, bearing in mind that the policy direction is laid out in 'Transforming Your Care'. I do not accept that the newness of this type of care is a reason for the lack of strategic planning, which is vital to ensure that people and their families have access to appropriate care at the appropriate time.

In her evidence, the Commissioner for Older People suggested that there was no correlating relationship between increasing the role of supported housing and the declining need for residential places. That was also supported by the Health and Social Care Board, which stated that, although it had evidence of a 5% decrease in the demand for residential places, that was not just because of the supported living element but because the provision of care in people's own homes had had an impact. Therefore, I believe that the Department of Health needs to do further work to provide a stronger strategic guideline, building on that contained in TYC, on the relationship between supported living provision and the provision of residential care.

Recommendation 11 looks closely at the terms of developing housing options for older people. As has been said, we have an ageing population, and that is truly a given fact. Thankfully, we now have people living longer. Most of us in the Chamber today can anticipate living well past the threescore years and 10 that we would have expected several decades ago. To ensure that we can build on that, the Committee believes that coordinated thinking by a number of Departments is required.

I now turn to what my fellow members of the Committee had to say. I thank the Chair for her opening remarks and for setting out the Committee's scrutiny for community-based options for older people. She highlighted the long-term projections and the fact that officials did not recognise a need for long-term projections, even though they recognised that we have an ageing population and that that is only ever likely to increase.

I note also that she stated that the Committee recommended that the Department should begin forecasting the need for supported living places over a 10-year period and that these indicative forecasts should be kept under review and reassessed when decisions are being taken, especially when building new facilities.

7.00 pm

My colleague Mrs Cameron indicated that Northern Ireland has one of the fastest growing populations in the United Kingdom and that, therefore, we need to look at our strategic planning in the years ahead. She also said that we should not continue with our "firefighting approach" and that a planned approach was required. She also highlighted the fact that there is a lack of awareness amongst the general public about the types of supported living available as well as other means that will ensure that people can remain in their homes for longer. She also said that it is vital that all five trusts set out an action plan, which should be clear and concise, about supported living.

Mr McKinney made the excellent point that people should be able to retain relationships and everyday life and be able to be part of their communities. I come from a social work background, and that was definitely an ethos that we promoted: all people have the right to live where they want to and be in the communities that they want to live in. He also spoke of the significant voids in the Northern

Ireland Federation of Housing Associations' facilities and how housing associations were facing financial losses. He also said that we need to look at risk sharing between trusts and housing associations. Another two words that he used that jumped out at me were "communication" and "transparency", because there does not seem to have been too much of either over supported living. He also pointed out the lack of strategic thinking.

Mr Beggs spoke on a personal level and as a constituency representative. He said that he understood the need for supported living and the lack of options available to meet individual needs. Again, he brought up the issue of the definition of supported living. That vein ran through the contributions of almost everyone who spoke this afternoon. From my social work background, my definition of supported living would have been extremely different from that of other health professionals, so if there is a difference there, is it any wonder that there is a difference between what Departments, trusts and Members believe it to be? There needs to be a clear definition. I think that that would go some way to facilitating the decisions that health professionals have to make. We cannot begin to expect our community to understand what supported living is if health professionals, Departments, trusts and Members are not fully aware.

Mr McCarthy declared an interest in the subject, although I cannot think why. He, too, said that evidence received had shown that there was no clear definition. He also said that we need to ensure that provision is there and that people had the right to live in their own homes in their own communities and to make the decisions that affect them, because it is their decision to make.

My colleague Mr Dunne said that there was a clear issue in the provision of suitable alternative housing and around the lack of knowledge among those who may require it. I ask again how we can expect our community and our ageing population to have the knowledge of what supported living is when many others in Departments, trusts and the health professions do not know. He went on to mention the Belfast Trust and said that its supported living scheme was not open to everyone but only to those with specific needs. Again, I think that we need to look at what people want and are asking for.

Mr Brady spoke of the long-term policy and the shift in the number of those wishing to remain in their own homes. He also spoke about the need for carers to be supported, about Transforming Your Care and about the lack of clarification. Mr Robinson spoke about services' need to maximise the number of people able to live in their own communities, and he outlined the benefits of that, particularly for those with mental health issues. We know that, within our ageing population, we also have a higher level of people with mental health issues.

I am going to run out of time very shortly, so I will maybe skip on. I will cover Ms McCorley's comments first. She spoke about a need for further understanding. She also spoke about data gathering in the trusts, which linked to what the Chair of the Committee said at the beginning.

In closing, before I get told off as well, I want to congratulate the Minister. When he was elevated to the lofty heights of Minister, I was elevated to his position as vice Chair of the Committee, so I do not know whether to congratulate him. He spoke about Barn Halt Cottages. My colleague Pam Cameron and I visited there last year and saw a very successful and worthwhile supported living project that promoted independence in our older population. We have many places out there that are good models of support. We just need to work on that, and we definitely require much more.

Question put and agreed to.

Resolved:

> *That this Assembly welcomes the Committee for Health, Social Services and Public Safety's review of supported living for older people in the context of Transforming Your Care.*

Adjourned at 7.06 pm.

Northern Ireland Assembly

Tuesday 14 October 2014

The Assembly met at 10.30 am (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).

Members observed two minutes' silence.

Assembly Business

Speaker's Office: Allocation of Functions

Mr Principal Deputy Speaker: Before we proceed with business, I wish to inform the House that the Deputy Speakers and I met this morning. I have agreed the allocation of functions with my colleagues in accordance with Standing Order 4(7) for this week.

Speaker's Ruling: Jim Allister

Mr Principal Deputy Speaker: I return to the matter raised by Mr Allister last Tuesday, 7 October, when he queried how Deputy Speaker Beggs had dealt with his question during a ministerial statement. I have now considered the Hansard report of last Tuesday's plenary sitting and reviewed the relevant Standing Orders, Speaker's rulings and the 'Assembly Companion'. I have reached a conclusion on my response, which I discussed with the other Deputy Speakers this morning. We agreed that I would deal with it today. The Member has been informed — I note his presence — that I would respond to him at this stage in proceedings today so that he could make himself available to hear it.

Standing Orders expressly state that the Speaker's decision on all questions of procedure is final and that that authority applies equally to Deputy Speakers. As the Member well knows, that means that, regardless of the circumstances of a ruling and whether a Member agrees with it, he or she is obliged to abide by it. Last Tuesday, therefore, the Member was clearly in breach of Standing Orders when he challenged the Deputy Speaker after the ministerial statement and when he later questioned the consistency with which the Deputy Speaker had chaired that item of business.

Furthermore, the Member also suggested that the Deputy Speaker had acted at the behest of a Clerk. Mr Spratt raised a point of order about that, and he was indeed correct that that was a breach of the conventions of the House. Speaker's rulings make it very clear that staff are there to assist Members in the performance of their duties. The Deputy Speakers and I are grateful for the advice and assistance we receive from the Clerks, but the House, and the Member in particular, should be in no doubt that we are entirely responsible for the conduct of business.

Decisions rest with the Chair, and I reiterate that it is not in order to challenge those decisions.

The Member concerned has had several warnings on previous occasions, so while I would welcome an apology to the House, I am not living in the expectation of that being forthcoming. In accordance with Speaker's rulings, I therefore inform the Member that his speaking opportunities will be restricted from now until 10 November 2014.

I know that the Member will try to spin this, but let me be clear: this is all about his behaviour towards the Chair and towards Deputy Speaker Beggs last week. It was amongst the worst that we have seen in the Assembly.

The Deputy Speakers and I are determined that the authority of the Chair will be upheld and that such blatant breaches of Standing Orders, Speaker's rulings and Assembly conventions cannot be allowed to pass without consequence. Let us move on.

Mr Allister: On a point of order.

Mr Principal Deputy Speaker: I have informed the House —

Mr Allister: On a point of order.

Mr Principal Deputy Speaker: I have informed the House that you will not be allowed to speak unless you wish to apologise. I ask you to resume your seat.

Mr Allister: I wish to make a relevant comment —

Mr Principal Deputy Speaker: I am not inviting you to make any comment.

Mr Allister: — which will address the issue.

Mr Principal Deputy Speaker: I am asking you whether you wish to take the opportunity to make an apology. If not, resume your seat immediately.

Mr Allister: I wish to address the issue, which may well encompass what you have in mind.

Mr Principal Deputy Speaker: Let us move on. That does not satisfy me. Let us move on.

Mr Allister: I think that we will see more of a kangaroo court tonight on 'Spotlight'. Are you permitting me to make a comment?

Mr Principal Deputy Speaker: I am not.

Ministerial Statement

October Monitoring Round/Paediatric Congenital Cardiac Services: Outcome

Mr Wells (The Minister of Health, Social Services and Public Safety): I am very glad to have this opportunity to make a statement to the Assembly on two hugely important matters for health and social care services: first, the outcome of the October monitoring round for my Department, and, secondly, the report of the international working group on paediatric congenital cardiac services (PCCS).

Since I have been in office, there have been a number of challenging issues to address. This statement deals with two of them: the financial position for 2014-15 and paediatric congenital cardiac services.

As the Assembly is aware, the Executive reached agreement last Thursday on the October monitoring round for 2014-15. As part of that agreement, my Department received an additional allocation of £60 million. That was on top of the conditional allocation of £20 million, which was from the June monitoring round.

Whilst £80 million is most welcome, there are still consequences for the provision of health and social care services as it is simply not possible to maintain current levels of service provision in the absence of all the required levels of funding. This statement updates the House on the implications of the October monitoring round for my Department.

The Executive, the Health Committee and the Assembly are well aware that my Department has experienced significant financial pressures, notably since autumn 2013, and these have yet to be resolved. The pressures are in a wide range of areas, including children's services, the quality and safety of services, elective care and unscheduled care, and they reflect the increasing demands on health and social care and the technological and treatment advances that can now be provided. These unfunded pressures are despite my Department having delivered efficiency savings of £490 million over the last three years. Indeed, a further £170 million is planned for delivery in the current financial year.

My Department made significant monitoring round bids in June and October 2014. The Executive and the Health Committee were advised that additional funding needed to be found to avoid the worst consequences for patients and clients in Northern Ireland. I very much welcome the £80 million that is being made available. It is a significant investment, but it is disappointing that £87 million is being handed back to the Treasury for welfare reform penalties rather than being invested in local health and social care. This approach means that I will not be able to take forward many of the plans that would have improved health and social care services and the outcomes for the Northern Ireland population.

Indeed, if we had obtained that £87 million, we would be extremely happy. Even our share of that £87 million would have been very welcome.

I assure you that my priority is that the services that we provide must be safe and effective for all the patients that they serve. Unfortunately, that may mean that some services will need to be reviewed, and that, in some cases, opening times may need to be restricted. Indeed, some services may need to cease altogether, based, of course, on the views of clinicians on safe staffing levels. However, with the additional funding that is being made available, I expect trusts to avoid the worst of these consequences and to minimise any reductions in the use of agency and bank nurses, social workers and locum doctors.

Whilst some further investment in elective care will be possible, this will be much less than the full extent of the pressure, and that means that the current restrictions on the use of the independent sector will have to continue. I assure you, however, that those patients with existing appointments in the independent sector will be treated. All other patients will be treated within the local trusts in priority order, but, inevitably, this increased pressure on trusts will lead to longer waiting times.

The extent of the pressure on my budget means that I will have no option but to impose further cuts in other areas, including departmental arm's-length bodies, my Department's administrative costs and pharmacy spending. There has been further discussion in recent days about restraint on wider public sector pay. I believe that this is a necessary measure, given the extent of financial constraints, but it should be applied consistently across all areas of the public sector, and not restricted to one element of the workforce. I strongly advocate that any pay restraint imposed on health and social care workers should be consistent with those applied in other public sector organisations.

On the more positive side, the additional £80 million will fund a wide range of existing expenditure commitments and allow further new investments to proceed. I will allocate the funding to those areas that minimise the worst of the consequences on front line patient care, thus addressing the serious concerns previously raised by the Chief Medical Officer. I particularly want to ensure that unscheduled care and patient flow is supported to reduce the number of breaches of the emergency department waiting time standards, including through the challenging winter period. This includes ensuring that existing domiciliary care packages are maintained and that some new care packages can also be provided.

I also intend to provide support to enable National Institute for Health and Care Excellence (NICE) drugs and treatments to continue to be provided, which will mean that patients can benefit from specialist treatments without considerable extension of waiting times. I know that the Chair of the Health Committee will welcome the next part of my statement: investment will be made in the Altnagelvin radiotherapy centre during 2014-15 so that it can be opened as intended in 2016. The funds will also mean that the cath labs in Altnagelvin can continue to operate a vital 24/7 service as planned, and that some further support can be provided to the voluntary and community sector and the Family Fund.

For mental health and learning disability, 116 clients will benefit from being resettled into the community, and hence be able to access the facilities that we have planned for them. I am also able to provide further support to drive forward important elements of reform under the Transforming Your Care agenda, allowing integrated care partnerships to make further progress and ensuring that there is a greater equity in reformed services across Northern Ireland.

In the coming weeks, specific allocations to front line services will be made to the Health and Social Care Board (HSCB), the Public Health Agency (PHA) and the trusts to reflect my ministerial priorities and the pressures being experienced in local areas. I will then expect the trusts to break even and be accountable to me, the Assembly and the public for the performance standards that I set.

I will turn now to another very important issue, that of paediatric congenital cardiac services. As Members will recall, on 9 December 2013, my predecessor, Mr Poots, made a statement to the Assembly announcing that, in conjunction with his counterpart in the Republic of Ireland, he had appointed a team of international clinicians to provide an assessment of the optimal model for a cardiac surgery and interventional cardiology service for congenital heart disease to meet the respective needs of the Republic of Ireland and Northern Ireland. The international working group (IWG) was chaired by Dr John Mayer, Professor of Surgery at Harvard Medical School and senior associate in cardiac surgery at Boston Children's Hospital.

The members of the group were Dr Adrian Moran, the associate clinical professor at Tufts medical school and chief of paediatric cardiology at Maine Medical Center, USA; and Dr John Sinclair, consultant paediatric cardiac anaesthetist at the Royal Hospital for Sick Children in Glasgow. Nursing expertise and advice was provided to the international working group by Dr Patricia Hickey, the vice president of cardiovascular and critical care services and associate chief nursing officer at Boston Children's Hospital.

10.45 am

In my written statement to the Assembly on 24 September, I announced that the international working group had presented its report to the two Departments, that both were considering the report and that I would subsequently announce our response to the international working group's full recommendations together with the Minister for Health in the Republic Of Ireland, Leo Varadkar TD. Today, I am following up on that commitment. Members may ask why there was a delay between receiving the report and it being published. It is being published as I speak. The reason for that is that, because it was a joint report commissioned by the two Ministers, we had to seek the agreement of our colleagues in the Irish Republic before we could release it.

In reaching this decision, I have given careful consideration to the report in the wider context of the various reviews and assessments that have been carried out in recent years relating to the paediatric congenital cardiac surgery service in Northern Ireland. I have given specific consideration to the report and recommendations of the Health and Social Care Board's PCCS working group of April 2013; the views of the parents' groups, which I very much welcome, such as Heartbeat Northern Ireland, which supported those recommendations; the views of the Children's Heartbeat Trust as appended to the report and recommendations of the Health and Social Care Board's PCCS working group; and the proposed model for the future delivery of paediatric cardiac services that was submitted to my Department by Belfast Trust cardiologists in March 2013.

I have met many of the groups involved in the debate since my appointment. It was in that context that my predecessor and Minister Varadkar's predecessor commissioned the international working group to assess, in both jurisdictions and on the basis of a single service, the current and projected need for the service; the way in which the service is currently delivered; and the possibilities for configuring the service that could best meet the needs of the overall patient population.

All the recommendations in the report are important. Indeed, the international working group has highlighted their interdependent nature. I know that the question of whether surgery would remain in Belfast was of major concern to the patients' families and the Assembly in particular. Like my predecessor, I wanted to end the uncertainty on that specific issue. It was for that reason that I announced on 24 September that the report had recommended that all paediatric cardiac surgery and paediatric interventional cardiology should cease to be delivered in Belfast. That is one of 14 recommendations that, together, make up the working group's proposed model for delivering that vitally important service.

The service is important not just for now but for current and future generations of people born with heart conditions, many of whom live a full and normal life into adulthood thanks to the advances made in that medical specialty in recent decades. It is the fourth successive report to recommend that paediatric cardiac surgery should cease in Belfast. The first was the Sir Ian Kennedy review, which was published in August 2012. The second was the Health and Social Care Board's PCCS working group review in April 2013, which I mentioned earlier. The third was the Chief Medical Officer's report to my predecessor on the evidential base and clinical practice aspects of congenital cardiac services, which was published in August 2013. The weight of evidence based on clinical assessment is clear. In the interests of patient safety and to ensure the future provision of a safe, effective and sustainable service for those vulnerable patients and their families, it is my responsibility as Health Minister to act on that evidence.

As I said, the international working group's report makes a total of 14 recommendations that are interdependent. The view of the international working group is that the recommendations cannot be easily separated without threatening the viability of the proposed solution. The proposal that paediatric cardiac surgery and interventional cardiology should be provided by a single children's heart centre in Dublin is one of a series of interdependent recommendations that make up the IWG's proposed model.

From the outset, that work has had the optimisation of the service as its main focus. The recommendation should therefore not be viewed in isolation.

I believe that the overall package addresses the range of serious concerns that patients' families, patients' groups and clinicians have made known following previous reviews. They have presented questions and challenges and are to be commended for doing so. In turn, the international working group has taken those views on board, and the Chief Medical Officer has confirmed his view that the proposed approach offers the best opportunity to provide that important service in an appropriate, safe and deliverable framework.

Like some of the patients' families and their representatives, I, too, had an opportunity to meet Dr Mayer and the international working group when they

visited Northern Ireland in April 2014. Of course, that was in my previous capacity as Deputy Chair of the Health Committee. In doing that, I was impressed by their clear desire to hear about the experiences of the families and listen to their concerns and their commitment to addressing those within their recommendations. Indeed, the report speaks of the willingness of the international working group, observed during their visits in both jurisdictions at all levels, to have a solution at all levels based on political, clinical, policy/management and parental views.

I am satisfied that the international working group has fulfilled its terms of reference, and that view is shared by my counterpart in the Republic of Ireland, Minister Leo Varadkar.

The proposed solution provides for a surgical service that would see children treated in accordance with the highest standards of safety. In addition, it points to opportunities for: enhancing the support we make available to their families; involving their representatives, as well as clinicians, in governance arrangements; improving communication and the flow of information between clinical teams in Dublin and Belfast; and further improving the transport service that we provide to get patients to where they need to be as quickly and safely as possible.

Time will not permit that I go through the detail of each and every recommendation with you, but I urge Members to study the report that has just been released. I know that Members will want to take time to read the report for themselves, and it is now available on the departmental website, but I want to draw your attention to some aspects and themes arising from the recommendations.

Recommendation 7 of the international working group's report proposes the key change to the current service in Northern Ireland — that those arrangements should be brought to a conclusion and that all paediatric cardiac surgery and interventional cardiology should take place in Dublin, in Our Lady's Hospital in Crumlin.

One of the major concerns expressed in the wake of the previous report was that cessation of surgery would impact on the ability to maintain specialist medical skills in Belfast, which, in turn, would restrict the service available. However, I am reassured to note that the maintenance of those life-saving skills is central to recommendation 4, which advocates the flow of nursing and physician personnel between the two jurisdictions. It is a two-way street, as it draws on the respective strengths of both jurisdictions to form one service — effectively one team serving one patient population. It details how Belfast-based paediatric cardiologists and paediatric cardiac anaesthetists should participate regularly in procedures with colleagues in Dublin, which will ensure that their skills are maintained.

The report also seeks to improve the experience and the involvement of families and their representatives in the proposed model. I have greatly valued the opportunity to meet the parents and family representatives. There are some very caring couples who are doing so much to look after very ill children. They are to be admired and supported. In that regard, recommendation 2 advocates the establishment of a family advisory group with representatives from both jurisdictions to provide direct input to a single governance vehicle, which I will say more about shortly. The family advisory group's aim will be to give a voice to families and also to serve as a means of providing feedback about how the system is functioning.

Family concerns are also addressed in two further recommendations. Recommendation 8 seeks enhanced patient and family services in Dublin for all patients and families who do not reside in the Dublin metropolitan area. That would include assistance with travel, lodging, meals and other practical matters. Indeed, many parents have made these points to me about the practical difficulties of dealing not only with a very ill child but with accommodation, food, travel arrangements etc. Recommendation 9 proposes the integration of the activities of clinical nurse specialists and advanced practice nurses in Belfast and Dublin to provide patient and family support, to manage the transfers of patients between Belfast and Dublin and to co-manage clinics.

This is an aspect of the model recommended by the IWG that I particularly approve of in that it provides families with full participation through their representatives on both the governance committee and the proposed family liaison service. If this is implemented, it will empower families in a way that has not happened before; providing them with an opportunity to ensure that their concerns, for instance, about the provision of accommodation and reimbursement of expenses are fully addressed.

There are four recommendations on the specifics of arrangements to ensure integration of services through IT links and case conferences. Those are recommendations 3, 6, 12 and 13.

The IWG has recognised the importance of effective emergency transport arrangements to make an all-island service function effectively, and indeed it met transport providers during its visit in April. Recommendation 10 calls for quarterly meetings between the paediatric and neonatal patient transport services in the two jurisdictions. This aims to facilitate and further strengthen safe transfers between outlying areas and the centres in Dublin and Belfast, as well as transfers between the centres. Recommendation 11 recognises the need for the Republic of Ireland to continue to upgrade its paediatric transport services and suggests building on the expert inpatient extracorporeal life support (ECLS) services existing in Dublin to form a mobile ECLS service.

Finally, recommendation 1, which effectively ties the whole model together, relates to the establishment of a single governance committee, composed of patient representatives, senior clinicians including surgeons, cardiologists and nurses, and the Chief Medical Officers and commissioners from both jurisdictions, to address all operational and policy issues. It would oversee the operations of the personnel, facilities and institutions involved in the care of patients of all ages with congenital heart disease. Its scope, as envisaged by the IWG, would be to effectively influence the deployment of capital and personnel resources for the management of patients with congenital heart disease in both jurisdictions. Terms of reference would be agreed by the respective health authorities in Northern Ireland and the Republic of Ireland.

There are issues for us to work through regarding the practicalities of this recommendation as it has been described in the report. However, we believe that there may be an alternative joint governance vehicle to the IWG

model, which would be better suited to our separate clinical and statutory structures but would maintain the principle of placing clinicians and families at the forefront of influencing decisions with real input from patient representatives. My Department and the Department of Health in the Republic of Ireland have reached broad consensus that this vehicle would operate effectively as a clinical network and still deliver the aim of the recommendation.

The report therefore gives us an achievable model. It gives us an indication of how to get there, but it does not prescribe the detail about exactly how the transfer should occur, when surgery in Belfast should cease, how Dublin's capacity can be increased or what happens with patients in the meantime. This is for me to agree with Minister Varadkar, and our Departments are working together closely to establish how we can build on the willingness that the IWG encountered during its visit and to plan how to make the model a reality.

Minister Varadkar and I have both agreed to accept all the IWG's recommendations and are committed to their full implementation, subject to the outcome of any necessary consultation. We are issuing a joint policy statement to that effect today. I will say something further about the consultation in a moment.

In implementing this new model, there will be a requirement to plan and take it forward in stages, as some elements will take longer to achieve than others. I know that the immediate concern of patients, their families and their clinicians is around what happens now and in the short term. I can assure you that my Department has been working closely with the Health and Social Care Board, the Belfast Trust and colleagues in the Republic of Ireland to understand what a pathway to implementation may look like, what obstacles would need to be addressed and what investment may be needed along the way. In the meantime, and central to that, of course, is ensuring that, throughout the interim period, we have arrangements in place to ensure that patients receive the best possible care.

11.00 am

First and foremost, we will need to ensure that a suitable, safe alternative is in place immediately after elective surgery and interventional cardiology ceases in Belfast. Currently, a very small number of paediatric cardiac operations and interventional procedures take place in Belfast. Those that do are planned, involve less complex procedures, exclude very young children and are carried out by surgeons who are based in Dublin and travel to Belfast once or twice a month. In highlighting that, I want to put on record my sincere gratitude for their continued willingness to do so over a prolonged and uncertain period. That has been hugely appreciated, not least by the families of the patients they treated.

All other elective surgery is carried out in heart centres in England, namely in London and Birmingham, whilst provision also exists for patients requiring emergency treatment to be treated in Dublin or in specialist centres in England. Again, I would like to express my sincere thanks to the clinical teams in Birmingham and the Evelina children's heart hospital for the service that they provide to Northern Ireland children and their families.

With regard to children requiring emergency surgery, I know that Members have expressed concern about the future arrangements for diagnosis of children born in the north or north-west of Northern Ireland, where transfer times to Dublin take considerably longer. Ultimately, it will be for the clinicians to decide whether a child should be transferred directly to Our Lady's Children's Hospital in Crumlin or whether that child should be transferred directly from Belfast to England. A key aspect of the single-service model is that, when it is fully implemented, it will have the capacity to deal with all emergency cases. However, it will be some 18 months before the model is fully in place and operating to capacity.

The current arrangements for emergency transfers have recently been the subject of review. There have been two cases recently, one in August and one in September, where it has not been possible for Our Lady's Children's Hospital in Crumlin to accommodate cases for emergency surgery. The HSCB is engaged with the Health Service Executive in the Republic of Ireland about this, to ensure that any additional steps that are necessary to ensure the robustness of the current arrangements are put in place. That only serves to emphasise the critical nature of ensuring safe, effective and robust services in the long term, which I am confident the proposed model will achieve.

In the short term, it will be important to ensure a well-managed extension of the current service level agreements (SLAs) between the two providers in Northern Ireland, the Republic of Ireland and, of course, England, where appropriate. It is most important that the existing SLAs continue in operation, augmented as necessary, to enhance the current arrangements and are quickly replaced by the single-service model proposed by the international working group. Further implementation will be on the basis of the outcome of any necessary consultation and by early agreement on the resource timelines and service integration requirements. That will be driven and carried out within appropriate structured project management arrangements with all the necessary steering, oversight and consultation structures required, in line with the international working group's recommendations. In that respect, Leo Varadkar and me have instructed our officials to take forward preparation work with immediate effect, with a view to having a clear action plan agreed and in place by the end of December 2014.

The current arrangements under the SLAs will remain in place until December 2014. Thus, the immediate impact of the removal of surgery from Belfast will be that, from January 2015, more children from Northern Ireland are likely to receive elective surgery at specialist centres in England, as required, until the appropriate capacity is in place in Crumlin. Interventional cardiology will cease in Belfast from April 2015, and Northern Ireland children will then receive that service in Crumlin, delivered by Belfast cardiologists working as part of the integrated team in Dublin.

On 25 April 2013, my predecessor acknowledged receipt of the report of the HSCB's PCCS working group, and said that he wished to consider its recommendations before reaching a decision. Subsequent to that, he and his counterpart in the Republic of Ireland commissioned the IWG to carry out its assessment, which I have published today. I, therefore, wish to advise the Assembly that, in light of the IWG's recommended model, I propose to recommend the PCCS working group's proposals on the following basis: that consideration will be given to the implementation of the recommended service specification in the context of

the IWG's model; and that the working group's preferred way forward for the future configuration of the service for Northern Ireland should be taken account of in the implementation of the IWG's model . It is notable that both groups reached the same conclusion, which is that surgery should cease in Belfast and be carried out in Dublin.

The HSCB will bring forward detailed investment proposals to further develop a cardiology centre of excellence at Belfast Trust and to strengthen the Northern Ireland network. In that regard, I will ask the HSCB to work closely with the Belfast Trust's management and cardiologists in developing the investment proposals. I wish to place on record my thanks to the board, the Public Health Agency and the working group for the extensive work that they completed in providing advice to my predecessor.

Members will recall that my predecessor announced the Belfast Trust's proposals to consider the possible transfer of children's cardiac surgery from the Royal Victoria Hospital to the Royal Belfast Hospital for Sick Children, subject to the completion of a risk assessment, and has concluded that such a transfer would be desirable. As paediatric surgical services are due to end on 31 December 2014, I have asked my officials to write to the HSCB for an updated position on the proposed transfer as this would now appear to be unnecessary.

I intend to announce details of the public consultation on the recommended model in the near future. I am making the report available on the departmental website today, and I have outlined in the statement the link to it on the Department's website. I urge all concerned to consult it, as it is now live.

In the meantime, I have instructed my Department to work with commissioners and providers to immediately plan for the implementation of the service model recommended by the IWG. I will await the outcome of the consultation before making my final decision on whether to implement the model. My decision to proceed with the planning is in keeping with the principle that precautions should be applied, given the vulnerability of the sustainability of the service in the Belfast Trust.

In conclusion, the proposed model is absolutely focused on patient safety and the effective delivery of care. My predecessor and I have been motivated throughout this work by the desire to provide the best possible standard of care for children in Northern Ireland who suffer from congenital heart disease and their families. The simple reality is that we cannot reach these standards alone. That is the clear message from the work of IWG, and I cannot and will not ignore their expertise and experience in reaching that view. Patient safety is central to this decision. I commend the work of the IWG to the Assembly.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat. I thank the Minister for his statement. As this is his first ministerial statement, I congratulate him on his elevation. It was remiss of me not to do it yesterday.

There is a lot of detail in the statement, but two important issues are covered, specifically in relation to the breakdown of the budget and the very welcome news around the radiotherapy unit and the cath lab. I am delighted that that is planned. Has DFP put any conditions or restrictions on how the £80 million will be spent, or will priority be at the Minister's discretion? Can I confirm how much of it will be allocated towards public health, given the policy direction on early intervention and prevention?

Moving on to children's heart services, what I am hearing today is a shift from the hub-and-spoke model to an all-Ireland single heart centre based in Dublin. Can I confirm that the hub-and-spoke model is now not in place and that it is a single centre? You said in your statement that the overall package addresses the range of serious concerns with patients' families. How will that take place? Can we have more detail on that?

Your statement specifically suggests that it does not prescribe the detail of how exactly the transfer would occur, when surgery in Belfast would cease, how Dublin's capacity can be increased and what happens with patients in the meantime. What assurances can the Minister give, given that there will be a consultation period?

Mr Wells: I thank the Chair of the Committee for going easy on me with questions on my first oral statement. There are so many issues to be dealt with. This will be quite complex because some Members will ask questions on budgets, others will ask about cardiology, and some will mix the two.

First, on the budgetary issue, there are no restrictions on the Department in how we allocate the £80 million additional funding. There are, of course, conditions on the £20 million that was allocated in the June monitoring round. As the honourable Member knows, there are quite strong caveats in the mechanism that led to the release of the £80 million, but that is being dealt with by the Executive and DFP.

As I said to her before, £80 million is not enough for us to meet the widely recognised needs that have emerged in health and social care in Northern Ireland. So, between the board, the DHSSPS finance staff, the Public Health Agency etc, we will sit down to prioritise where we need to spend this money. It is no secret that all five trusts are under considerable pressure at the moment and have exceeded their budgets. We will have to look at that situation and bring it into some form of balance.

The only real specific that I can outline — the Chair and other Members for Londonderry have written to me about the issue on many occasions — is that the Altnagelvin facility will go ahead as planned. I know that that will be welcomed by her community and all those in Northern Ireland, Donegal etc who will benefit from that. I am relieved that we have at least been able to deal with that issue.

The hub-and-spoke model was considered before the international working group's report that issued today. I cannot, under any circumstances, ignore the fact that we now have four separate reports, all written by highly acclaimed and knowledgeable experts, that point in the one direction. It would be negligent of me, and I would be ignoring the interests of the patients, if I ignored what those reports say. We will go to a central model, but the Clark clinic will remain open, and services will still be delivered there. However, serious interventions will be dealt with by Dublin or, if they are extremely complex, by Birmingham or London. So we are moving towards a centralised model.

You asked for timelines. We reckon that it will take 18 months to get this all in motion. I can tell you that there is

great goodwill from the HSE in Dublin, and we are also committed to it. I regard it as a priority that I will meet Leo Varadkar within the next few weeks so that we can discuss this very carefully.

I emphasise that the £80 million includes the £20 million that came from the June monitoring round, which has some conditions attached to it. It is conditional on assurances of steps to be taken to break even and live within our budget. I can tell you that it is an extraordinarily challenging target.

Ms P Bradley: I also thank the Minister for his very comprehensive statement. Like the Minister and, I imagine, most Health Committee members, I have met the parents and parent representative groups concerned with paediatric congenital heart services. The statement refers to the family advisory group and the inclusion of parents and parent representatives in decision-making. What specifically does the Minister see as the role of the parents and parent representative groups in the implementation of the new model?

Mr Wells: I apologise to the Chair, as she raised a similar point about the involvement of the parents. My door is always open to the parents. Indeed, shortly after my appointment, I attended a fundraising event in Banbridge, where I met many of the parents. We have met various groups. I spent most of yesterday dealing with the concerns of parents. I also greatly value the input of Mr Swann, who has a very clearly defined personal experience of the issue.

Through the proposed model, we are determined that family representatives will have a voice on the governance vehicle and the family advisory group. We are serious about that because I realise that, for many parents, this is a very difficult decision and a bitter pill to swallow. I accept that. We are determined to make the practical realities of attending Crumlin as simplified, efficient and caring as possible for parents who already have the huge burden of looking after a terribly ill child. Therefore, the groups established under the IWG report are designed to give those parents the optimal input. Leo Varadkar and I will listen very carefully to parents' recommendations through those groups. Already, the parents have raised with me some very practical difficulties. They have, for instance, to wait for three months before being reimbursed for the expense of going to Dublin or England. There must be procedures that can be established to ensure that that does not happen. A small issue, but certainly an issue if you are a young person, is the lack of Wi-Fi availability after a certain time of night for children undergoing cardiology services in the Royal. That is a big issue to a young person or a teenager, and we will have to look at that.

We will do everything we can to facilitate the parents and families in this situation because we know how difficult it will be to ask them to travel to Dublin when they have been used to using the Clark clinic.

11.15 am

Mr McKinney: I thank the Minister for his statement. I congratulate the international working group for the work that it has done. We welcome this, particularly the joint nature of the discussions. Minister, you made the statement, but I think it only appropriate that we from the SDLP congratulate your predecessor, Mr Poots, on his sterling work in furthering this project.

It throws up some questions, as you outlined. In your previous answer, you touched on the parents. Would it be appropriate for recommendation 1 to come ahead of the consultation to allow the immediate establishment of that working group so that parents, clinicians and all the rest of them can involve themselves in early discussion?

You talked about the economics earlier. Can the Minister reflect on whether the pharmaceutical price regulation scheme (PPRS) would make a substantial difference to the actual pharmacy spend? In other words, does he accept the notion that embracing the scheme would mean a zero rise in the pharmacy bill?

Mr Wells: First, I will deal with Mr McKinney's first point. As he knows, we have announced a review of the individual funding request (IFR) system. We believe that the report is due back on my desk by the end of November. It will deal with the exceptional holiday criteria for when clinicians ask for specific drugs. Before we go any further, it is important that we look at that. It is only six weeks away and may deal with some of the problems that he and many other Members have with the present situation regarding the 40 cancer drugs. I cannot pre-empt what the review will say, but, given the very short time span, I think that we should look at it before we revisit the model that he outlined.

The Member mentioned moving ahead during the consultation period. I think that he will understand that we are bound by certain protocols. If you announce a policy decision, you have to allow time for people to make their views on it known. However, that does not preclude us going ahead and preparing the way. My understanding is that officials are already meeting to discuss the suggestion that he made. Provided that that can be done in a way that keeps it watertight, from a legal point of view, I do not see any problems with it. Equally, there may well be people who will read the report today and find something that they wish to point out to us or something that they have observations on. Therefore, to be absolutely watertight, we have to ensure that we have 12 weeks of consultation, or whatever period is deemed necessary.

Mrs Dobson: I thank the Minister for his statement and congratulate him on his elevation to Minister. I look forward to working with him. I also look forward, Minister, to hearing more from you at this evening's Adjournment debate. Given the timing of the statement, I should, perhaps, be trying to secure more Adjournment debates.

You mentioned the north-west, which is the furthest away, and we need to ensure the early diagnosis of those vulnerable children. Will you outline what infrastructure will be put in place?

You mentioned the parents, who we all work very closely with. How do you plan to address their very real fears and the concerns of the local families who you have met? Words and promises simply are not enough.

Mr Wells: First, the wishes and views of the parents in Northern Ireland will have exactly the same weight as the wishes of the parents from the Irish Republic. This is meant to be a cooperative model, which will mean that any concerns that they have will be directed to the clinicians, to those in Dublin in Our Lady's and to the relevant Departments. So, I see this as an exciting model

that will mean that their views will be at the core of this new arrangement.

Also, I know that she perhaps is quite annoyed about the fact that this statement was made on the morning of her Adjournment debate on the same issue as far as Upper Bann patients are concerned. There was no attempt to head her off at the pass. What simply happened was that the timing was such that an agreement was made with the authorities in the Irish Republic that we would jointly publish this report today. We will address tonight the specific issues that she will undoubtedly raise of behalf of her constituents, but it was just the way that it happened, and there is no cunning plan, as it were, to deal with that. I am quite happy to address her concerns tonight, but, of course, she will have to accept that there will be a huge degree of overlap because the arrangements that we outlined this morning obviously apply in their entirety to patients coming from Upper Bann, as they do for all of Northern Ireland.

Mr McCarthy: Like others, I welcome the Minister's first statement to the Assembly. First, I have to express my sadness that we are losing such a service providing cardiac surgery from Belfast City Hospital. That having been said, at least we are having a service on the island of Ireland, which is preferable to having to travel across the water. From experience, parents tell me that they would rather be in this island.

My main question is on the financial mess that our health service is in at this time and has been in for some time. I remind the new Minister that the Finance Minister accused the former Health Minister of mismanagement of the budget. That is a very serious accusation, and it seems to be that that is where the mess that we are in is at now. The threat to the quality and safety of our services cannot be underestimated. Can the Minister tell the Assembly whether that mismanagement by the former Minister on the budget has been identified? If it has, can he tell the Assembly what is being done and where to make sure that it will not continue? And can he —

Mr Principal Deputy Speaker: Can you just come to your point?

Mr McCarthy: Can the Minister come back to the Assembly and tell us that the mismanagement has been identified and rectified?

Mr Wells: As the honourable Member will be aware because he sat on the Health Committee at the time, the previous Minister Mr McGimpsey predicted that there were would be 4,000 compulsory redundancies resulting from the CSR when the DUP and Mr Poots took over. That has not happened. There have been no compulsory redundancies whatsoever, and, indeed, Mr Poots took on an extra 500 nurses. We are about to take on 61 health visitors, and we have increased the number of consultants and doctors.

So, the overspend that he is referring to was a mere £13 million, which is 0·3% of the overall budget. The reason for that is that the previous Minister decided to continue with elective surgery so that people who were in misery and having very difficult issues with hips, knees etc got the treatment that they deserved. That was quite easily dealt with, but what he has to accept is that, last autumn, after having managed to achieve £490 million worth of savings in the budget through better and more efficient uses of the resources, there was a huge surge in demand that occurred in autumn 2013 and which is still with us. That is the problem. It is not a misallocation of resources but is simply that demand has risen dramatically. As he knows, demand is rising by 6% and resources are rising by 2%. Inevitably, something was going to give, and it gave, as it were, in October and November 2013. So it is not a case of mismanagement, it is simply the case that we had many more people demanding our services, and we had a restricted budget to meet that.

Mr McCarthy: The Finance Minister thinks —

Mr Principal Deputy Speaker: Order.

Mr Spratt: I, too, congratulate the Minister on his appointment and thank him for his statement this morning. As he and others in the House are aware, I am journeying with cancer at the moment. On behalf of those who journey with me and, indeed, the excellent clinicians who deal with cancer services throughout Northern Ireland, I ask the Minister what cancer services he will be able to introduce this year.

Mr Wells: First, we wish the Member for South Belfast all the best and admire his courage in being so open about having cancer. That has been extremely helpful.

As you know, there are new services planned for oncology in Northern Ireland. The acute oncology services that we will introduce in February 2015 will require 30 programmed activities (PAs) of consultant time to establish quality services for patients with complications from cancer or cancer treatment, patients with advanced cancer or those admitted to hospital with a newly diagnosed cancer. That will assist the implementation of NICE guidance and guidance on metastatic malignant diseases of an unknown primary origin. Excuse the complicated language. From 2015, 31 PAs of consultant time are required to ensure effective service delivery, resilience and sustainability.

I think that we have a lot to be proud of in cancer services in Northern Ireland. For the first time this year, we can say that more people with a cancer diagnosis will be alive in five years' time than will have passed on. We have crossed that Rubicon and passed that very important line in the sand, where we are moving towards cancer being a long-term condition rather than a life-threatening illness. There are still many thousands of people in Northern Ireland who are facing a very dark valley as a result of a cancer diagnosis, but things are moving in the right direction. Many outcomes in Northern Ireland are ahead of those in the UK and many parts of Europe. We have a lot to be proud of, and there will be further investment. Therefore, things are moving in the right direction despite very difficult financial times.

Mr Byrne: I also wish the Minister good luck in his new job, and I know that he will have the interests of patients at heart, given his commitment to health over the years.

On a resourcing matter, I want to ask the Minister about the gap in the out-of-hours GP services based in Strabane for that district. Can they be examined and rectified? On children's specialist services, can the Minister make sure that the service level agreements (SLA) are clearly understood by all hospitals, especially the South West Hospital, so that parents who have an urgently sick child can be reassured about how they should proceed to get the specialist care needed?

Mr Wells: I suppose that it was only a matter of time before someone went down to grass-roots level and

asked me questions regarding provision in their area. The preparation for today's statement was based on a much higher level of policymaking based on the overall budget. I will examine the two issues that the Member raises about Strabane and the South West Acute Hospital and write to him, because I really could not have anticipated that such a fine detail question would be asked after a much more broad-brush statement.

Mr Principal Deputy Speaker: Members should not need reminding that the questions are about the statement that was issued. It was a very detailed statement that dealt with two specific areas. There will be opportunities in the future to deal with wider issues, particularly in that sphere.

Mr Swann: I assure you that mine will be based on the statement. I declare an interest as having a son who is affected by the subject of the statement. In fact, this time last year, we were in Birmingham because Evan had just come through his cardiac surgery.

Minister, in your statement, you say that you will await the outcome of the 12-week consultation, but it also states that the SLAs will cease in 10 weeks' time, which will move more elective surgery to England until places are available in Crumlin. From our meeting yesterday, I assume that it will be 18 months before those places are available.

The interventional cardiology will cease in six months' time, and all the surgery will move to Dublin. Your statement indicated that Dublin was unable to cope with two emergency cases, one in August and one in September, which was only a few weeks ago. Minister, when you put those three timing issues into one place at one time, can you reassure me that individual care pathways can be established for each child before December and before these changes start to implement the surgeries that will affect the children and families in Northern Ireland?

11.30 am

Mr Wells: I thank the Member and his all-party group for the evidence and information that they have given us on this issue. I wish his son all the best as he goes through this difficult time in his life.

There are many areas between the statement today and the complete change in 18 months' time that will have to be examined very carefully and phased. However, we are dealing with a situation where we can no longer continue to provide a first-class service, given the patient numbers that we have in Northern Ireland. We are not anywhere near the 400 children that we need to provide a first-class service. That is a fact of life and the way that medicine is going. I will be liaising very closely with parent groups and the Member as we go through this difficult process to try to ensure that the movement from one situation to the other is done in a way that will have the least impact on vulnerable children. The pathways is one of the issues that will have to be looked at. At the end of the day, I hope that he accepts that we are doing this with the primary motivation of providing the best possible service for our children.

We are pretty certain that the SLA for elective surgery in Belfast will end in December 2014 — two months' time. All other SLAs will continue until the new international working group model is in place. Those include defined pathways for each child. I accept that the gap will be difficult to manage. I have said that there are many, many issues on my desk, and I regard this as being one of the top five. Therefore, I am going to take a deep personal interest in this to make certain that our children are not impacted by it. I have met too many loving, devoted parents throughout Northern Ireland who are caring for terribly ill children not to make certain that I will make this a personal priority. Frankly, I know that if I do not, the Member will be snapping at my heels daily — the quiet, reserved individual that he is — to make absolutely certain that I get this one right in conjunction with my colleagues in the Republic. That is why I am going down to see Leo Varadkar. That is why I have made it a priority to go down to Crumlin to make an assessment for myself, and that is why I will be keeping a very detailed overview of the entire process over the next 18 months.

Mr Beggs: I thank the Minister for his statement, and I congratulate him on his appointment. Elective care waiting lists have grown significantly over the last year. In your statement, you indicated that the investment in elective care will not meet the current pressures that exist in the trusts. In fact, you said that it would lead to elongated waiting times. Can you provide us with some hope as to when our health service will improve, when elective surgery will be brought down to the levels that occur in other parts of the United Kingdom and when the pressures on our A&Es will be resolved?

Mr Wells: I was expecting the honourable Member to ask that question. This is a very difficult issue. He has to understand that 63% of the health care budget in Northern Ireland is tied up in salaries, wages and pensions and that another £500 million of the budget is tied up in various contracts. We cannot legally touch those during any financial year without being taken to court and losing. Therefore, the actual aspect of the budget that I have, and that Edwin Poots had, that can be controlled effectively is a very small overall proportion.

One of the areas where we can, as it were, turn off the tap of expenditure is elective care, particularly when it is contracted out to the private sector. It is not a position that any of us wants to be in, and yes, waiting lists will undoubtedly increase. We have already 20,000 people in the system at the moment who are waiting, and that is 1,000 people for every constituency, so I have no doubt that every Member in the House will start receiving letters. However, we simply have to devote the resources to where they are most needed.

Elective care tends to be life-enhancing rather than life-saving. I realise that many people are in considerable pain because they have not had their hip, knee or whatever done, but that is the situation that we are in. My predecessor had to issue information to the private sector telling it that there would be no further referrals apart from those that are in the system. So that, unfortunately, is the price we pay for the huge increase in demand that there has been. We are trying, through the use of trust resources, to put as many people through as we can, but the waiting list is challenging, to put it mildly, and will cause us considerable anguish over the next few months.

Mr Dunne: I, too, welcome the Minister here today. Can he give us some assurance about the excellent work of the children's hospital at the Royal, especially the Clark Clinic? Will the excellent work that they do there before and after operations — they carry out operations at the moment — continue? Can he give us an assurance that that will continue at the current high standard? Also, it

is important that we recognise the excellent work done by the Children's Heartbeat Trust in the lobbying and campaigning that it has done on this issue. A number of us, when we were newly elected, found this to be one of the first issues raised with us.

Mr Wells: I concur with the Member on the excellent work done by the charitable sector in this field. It has been very articulate and forceful in representing the needs of parents and their children.

I emphasise that the statement that I have made this morning does not mean the end of paediatric cardiology services in the Belfast Trust. The IWG recommends that the single, all-island model will provide for a fully integrated team from Belfast and Dublin, with Belfast continuing to provide surgery for young adults and the adult population. I will go further by saying that I want to strengthen Belfast as a centre of excellence for cardiology. I have asked the board to bring forward investment proposals to secure this and strengthen the regional cardiac network at the same time. That will secure the specialist skills available in Belfast going forward within the single model.

I agree with the Member in congratulating the previous work done in that hospital, but this is not the end. The very high level cardiac interventions will be done in Dublin from when the model is finished and rolled out. It is a different model, but we still place enormous store by the facilities at the Royal.

Mr G Robinson: I thank the Minister for his statement. What will the spend on Transforming Your Care be directed towards?

Mr Wells: Included in the October monitoring round was a bid of £2·6 million and a proposed investment of £2·4 million. The proposed investment of £2·4 million reflects the ability to spend within the remaining months of 2014-15. These resources will be directed at developing a wide range of early intervention and prevention initiatives, including the treatment of atrial fibrillation, which would enable some 444 strokes to be avoided. There will be a range of investment in what are known as FREDS, including fall prevention, patient education on diabetes, strokes and early supported discharge (ESD), GP education and diabetes investigations. There is also the intention to develop GPs' ability to diagnose and commence treatment without a secondary referral. There will also be a continuation of diabetes self-management pilots, which are aimed at reducing the need for patients to attend outpatient appointments and which reduce insulin prescribing costs and avoid emergency department admissions.

On the capital side, we are continuing with the building of new facilities at Banbridge and Newry, so investment is ongoing. Transforming Your Care continues throughout this, albeit in challenging times. As Members will know, we have made various monitoring round bids for this, and we have not been as successful as we would like to have been.

Mrs Cameron: I apologise for not being in the Chamber at the beginning of the Minister's statement. I welcome the Minister to his new and challenging role, and I congratulate Edwin Poots on the excellent job that he has done in recent years. What public health initiatives will be able to be taken forward in light of the statement?

Mr Wells: I am totally committed to the principle that we need to educate our public better in managing their own health. As a result of the agreement last Thursday, a number of services will be continued or expanded. There will be new developments in obesity services, such as the food in schools programme, to increase the levels of consumption of fruit and vegetables in primary-school children, increase access to physical activity programmes and see the development of further community-based initiatives to develop the skills of individuals and families to grow and cook healthy food.

On the flu vaccine, the number of people in the at-risk groups for flu has also been increased beyond the initial planning assumptions. The intranasal flu vaccine has helped Northern Ireland to achieve a higher than average uptake of flu vaccine for children, and those programmes will be able to continue.

Developments in core screening services will include the appointment of additional staff to meet increased demand in diabetic retinopathy; extension of the age for bowel cancer screening from 71 to 74 years; testing for HPV and cervical cancer screening; appointment of staff to provide quality-assured newborn blood spot screening; and the completion of the introduction of enhanced screening for women at a high risk of breast cancer. There will also be specialist nurses for homelessness and for the black and ethnic minority communities.

So there will be positive initiatives within the PHA. However, we still have a long way to go to achieve the right balance of the funding of that organisation, which is so essential.

Mr Principal Deputy Speaker: That concludes questions on the statement.

Mr Swann: On a point of order, Mr Principal Deputy Speaker. I want to seek guidance from the Speaker's Office about the detail of the statement. It covered two serious items: the outcome of the monitoring round and pediatric congenital cardiac services. Perhaps in future such a detailed statement that covers two very serious items could be dealt with in two individual statements.

Mr Principal Deputy Speaker: That is generally a matter for the Minister. We have a new Minister, and he is obviously running to catch up with his brief and to keep the House informed. We all noted the detail of the statement, but I thought that the Minister was very good in taking questions on the two elements of the statement. For your information, it is a matter for the Minister.

Executive Committee Business

Lands Tribunal (Salaries) Order (Northern Ireland) 2014

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

> *That the draft Lands Tribunal (Salaries) Order (Northern Ireland) 2014 be approved.*

I trust that this item of business will be somewhat shorter than that which the preceding Minister was subjected to. Under the provisions of the Lands Tribunal and Compensation Act (Northern Ireland) 1964, my Department is responsible for the administration of the Lands Tribunal and determining the remuneration of its judiciary by order, a draft of which must be approved by the Assembly. The tribunal currently consists of a president and one other member, both of whom are appointed by the Northern Ireland Judicial Appointments Commission.

The draft order that is before the House provides for an increase of 1% in the annual salaries that are payable to members of the Lands Tribunal for Northern Ireland, effective from 1 April 2014. That accords with the statement that was made by the Prime Minister on 13 March, following consideration of recommendations made in the thirty-sixth report of the Senior Salaries Review Body, that the Government have decided to increase judicial salaries by 1%. The Department of Finance and Personnel has approved the increase.

At this stage, I wish to thank the Justice Committee for its customary careful and detailed consideration of the draft order. It is with the Committee's support that I bring the draft order before the House. I commend it to the House.

Mr Givan (The Chairperson of the Committee for Justice): I will speak very briefly on the motion on behalf of the Committee. The Committee considered the proposal for the statutory rule in June this year and the statutory rule itself at its meeting on 2 July. As outlined by the Minister, the rule provides for increases in the annual salary of the president and member of the Lands Tribunal for Northern Ireland. The increase is in line with the 2014 report of the Senior Salaries Review Body and the subsequent decision announced by the UK Government in a written statement in March that judicial salaries should increase by 1% from April this year.

On that basis, the Committee agreed that it was content with the statutory rule and therefore supports the motion.

11.45 am

Last year, a similar statutory rule came before the House to make provision for the 2013 change in salary for the same body. At the time, and I repeat, I expressed the view, which was accepted by the Minister, that the use of the affirmative resolution procedure was "odd" and not a good use of Assembly time, given that the salary increase affects one person and relates to a relatively small amount, and yet other statutory rules deal with changes to legal aid funding covering millions of pounds and they are subject to the negative resolution procedure. So, I am aware that the Department is exploring legislative options to amend the Lands Tribunal and Compensation Act (Northern Ireland) 1964 to remove the requirement to increase salaries of members of the Lands Tribunal by draft affirmative resolution procedure, and I urge the Minister to progress that as soon as possible so that a similar rule does not have to be brought to the Assembly next year for debate. I support the rule.

Mr Principal Deputy Speaker: No other Members have notified that they wish to speak.

Mr Ford: Principal Deputy Speaker, I thank the Committee Chair, as ever. It is always good to record progress made between the Minister of a Department and a Committee. I entirely endorse the points that he made about the rather artificial nature of the debate that we are required to have, and I confirm that my aspiration accords entirely with his: that we will shortly be spared the difficult task of progressing this order annually. With that, I commend to the House what, I hope, will be one of the last such orders.

Mr Principal Deputy Speaker: There is a danger of agreement breaking out, and the excitement could overtake us all.

Question put and agreed to.

Resolved:

> *That the draft Lands Tribunals (Salaries) Order (Northern Ireland) 2014 be approved.*

Education Bill: Accelerated Passage

Mr O'Dowd (The Minister of Education): I beg to move

> *That the Education Bill proceed under the accelerated passage procedure.*

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I begin by stating that my request for accelerated passage is a decision that I have not taken lightly, nor is it an attempt to avoid proper scrutiny of the Bill by the Assembly. It is needed as a matter of urgency to meet a very tight timescale to ensure certainty in our education administration system by April 2015.

Indeed, the Bill and its accelerated passage would not have been needed had the Education and Skills Authority (ESA) been the future of our education administration system. However, despite my best efforts and those of others, it was not possible to get agreement. Had it been possible to secure agreement on the Education Bill, the ESA would have been in place for April 2015. In the meantime, while we have been waiting to get agreement on the ESA, local government reform has been steadily progressing and it now provides an inescapable deadline.

It has always been assumed that the establishment of the ESA would have prevented local government reform from having this unintended impact on education administration. As Members are aware, the territorial responsibility of our existing education and library boards (ELBs) is defined in law by reference to council areas. Currently, the reference is to the existing model of 26 councils, and so the ELBs are defined by five groupings of those 26 territories. From 1 April 2015, under the Local Government (Boundaries) Act 2008, our 26-council model will be replaced by the new 11-council one. Our ELBs should change to be compatible with that. Since May 2014, I have been seeking Executive agreement urgently to prepare legislation that will replace the five ELBs and their staff commission with one education authority. However, it was not until the Executive meeting of 9 September that my Executive colleagues reached that agreement. That has left a challenging time frame to ensure that the necessary legislation is in place that will allow me and my Department to ensure that our education system is compatible with local government reform by 1 April 2015.

In this interim period, my Department has worked to complete the draft of this legislation, the Education Bill 2014. The legislation that I propose is minimal, in the interests of securing consensus, and would deliver only structural and technical change. The Bill would simply change the current requirement of the Education and Libraries (NI) Order 1986 for there to be five ELBs into a requirement for there to be one education authority.

The functions and responsibilities of the Education Authority would be the same as those that are undertaken by the ELBs and would include their employer responsibilities. Employer responsibilities within our system would otherwise remain unchanged. The further provisions of the primary legislation will be the absolute minimum necessary.

In concluding, I will set out, as succinctly as I can, the reasons for my request for accelerated passage for the Bill. The reason why accelerated passage is needed is that the Executive, the Assembly and I should do all that is possible to avoid the risk of not having the Education Authority in place by 1 April 2015. Accelerated passage enables the measures necessary to establish the governance of the authority to begin at a point at which the 1 April deadline remains feasible.

Accelerated passage makes it possible to complete the legislation sufficiently in advance of 1 April 2015 for there to be time enough for my Department to apply the Bill's schemes of transfer to the transfer from the ELBs to the new authority of approximately 40,000 staff, including teaching staff. Accelerated passage makes it possible for my Department to deliver for 1 April 2015 not only the legislation but the administrative minimum that is required to establish the new authority.

The main consequence of accelerated passage not being granted is that it will be impossible for the Education Authority to be in place for 1 April 2015. In that event, the highly negative default will be the unintended continuation of our five ELBs amidst new local government structures. While that scenario continues, the legal basis for our education and library boards' responsibilities and their governance arrangements will be significantly less secure than was ever intended.

The consequence of accelerated passage not being granted is a scenario in which there are many significant risks. Those risks significantly outweigh the potential for accelerated passage to have any negative consequences, given the transparency of a minimalist six-clause Bill that will ensure the necessary structural and technical changes.

Finally, accelerated passage —

Mr Elliott: I thank the Minister for giving way. I am trying to assess the issues with accelerated passage. Does the Minister feel that this is a temporary process or temporary legislation that will be overtaken by a Bill that is wider ranging at a later stage? If so, is that one of the reasons for accelerated passage, or does he see this legislation being here for a long time to come?

Mr O'Dowd: I do not envisage bringing any further legislation forward during this mandate for the Education Authority or the structure of our educational administration.

The Bill allows for the minimum change required to ensure that our Education Authority is compatible with the new local government structures. It also provides a sturdy platform for change if a future Education Minister believes that is required, if the Executive agree with the Education Minister and if the Assembly agrees on legislation.

Nothing can happen beyond the Bill without the consent of the Assembly at a future date. Given that the necessary time frame does not exist in this mandate, it is not my intention to bring forward any further legislation for our education administration. The Bill gives certainty to our education structures. In the future, if someone wishes to make a change, so be it.

Finally, accelerated passage is a measure that caters for the unique demands of the present situation and the very tight time —

Mrs Overend: Will the Minister give way?

Mr O'Dowd: I am more than happy to give way.

Mrs Overend: The Minister is very kind. I refer him to clause 4(3), which states:

"The Department may by order make such supplementary, incidental, consequential or transitional provision as it considers necessary or appropriate in consequence of, or for giving full effect to, any provision made by this Act."

Clause 4(6) states that such an order would be subject to negative resolution, which means that it would not come before the Committee for agreement. So I am asking the Minister —

Mr Principal Deputy Speaker: The Member will have an opportunity to put those points as we discuss the purpose of the motion. I wonder why you are interrupting the Minister at this point.

Mrs Overend: Sorry, Mr Principal Deputy Speaker. If we are looking for accelerated passage, that is one of the reasons why we —

Mr Principal Deputy Speaker: We are about to move into a discussion, and you will have every opportunity to make that point.

Mrs Overend: OK. I am sorry.

Mr O'Dowd: Go raibh maith agat. I will come back and answer that point in more detail as the debate goes on, but the key is this: I can commence only those orders that are in connection with the Bill. I cannot go beyond the Bill or bring in by order any changes that should be covered by primary legislation. So when introducing the clause that you mentioned, I can commence only those changes that are commensurate to or in connection with the Bill. I cannot introduce primary legislation through the process that you outlined. It would not be allowed into the Assembly by the Speaker's office, and it would not get past the Executive or, in fact, the Assembly. There is no underhand mechanism. It is a clause that is in much legislation, but it relates only to the powers in each individual piece of legislation. On that point, I bring my opening comments to an end.

Mr Principal Deputy Speaker: In light of the interventions, I urge Members to stick to the purpose of the discussion, which is accelerated passage. As soon as we discuss that, and if we agree to proceed, there will be a further debate, when we will be able to examine all the details of the Bill. Members should keep their focus on the purpose of this phase of the Bill, which is accelerated passage.

Miss M McIlveen (The Chairperson of the Committee for Education): Let me begin by declaring an interest as a member of the board of governors of Castle Gardens Primary School, Newtownards and Killinchy Primary School. With your permission, I will initially make a few remarks as Chairperson of the Committee for Education before speaking as an individual Member.

On 30 September 2014, in line with Standing Order 42(3), the Minister briefed the Education Committee on accelerated passage for the Education Bill. He said that accelerated passage was sought owing to the timescales associated with aspects of the reform of public administration. The Committee questioned the Minister on the justification for that.

The ongoing changes to local government, agreed by the House as part of RPA, are wide-ranging. From 1 April 2015, we will see changes to district councils, not only to their powers but to the number of councils and their boundaries.

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

As the Minister just said, the existing education and library boards are defined by the old district council boundaries. Indeed, the allocation of places on the boards is also determined in part by the number of district councils in a board's area and the related relative populations of schoolchildren in the maintained and controlled sectors.

The Minister advised the Committee that, without the Bill, the RPA changes could undermine the legal certainty associated with the obligations and responsibilities of the education and library boards. It was further argued that accelerated passage was needed to mitigate that risk, as was pointed out today.

I think that everyone on the Committee understands that the roll-out of RPA will necessitate changes to the education and library boards. I also think, or at least hope, that the last thing that anyone on the Committee wants to do is to introduce further uncertainty into the administration of education.

Setting aside the wider RPA issues, I think it worth mentioning that the existing ELBs and other organisations have been limping along for quite some time. Vacancy controls, in place since 2006, and several hundred voluntary severances have had a substantial impact on their efficiency and operability. Indeed, perhaps a third of non-teaching ELB staff and a larger proportion of senior staff are in temporary positions.

As a member of a number of boards of governors and Chair of the Education Committee, I know that this has been a difficult time for the education and library boards. I know also that many people in those organisations will welcome the early establishment of the proposed Education Authority and the associated stabilisation of staffing arrangements. I understand that, but it should be noted that the Bill will create a very large public sector organisation. The Committee has received only limited information on its anticipated structure, staffing levels and transitional arrangements. Welcome though the information provided so far has been, it is neither sufficient nor satisfactory.

12.00 noon

The change proposed in the Bill is limited but, nonetheless, significant. Given the importance of the dissolution of the ELBs and their replacement by the Education Authority, it is unfortunate that it appears that the Committee will not get the opportunity to scrutinise the legislation to the extent that it would have liked. Notwithstanding this, the majority of members of the Committee will, with some reservations, support the motion for accelerated passage. I should indicate that, whether or not the Assembly agrees to accelerated passage, the Committee will expect to receive more information and regular updates on the Minister's plans for the establishment of the Education Authority. I ask that, in his response today, the Minister assents to this.

There are a number of issues and important principles in the Education Bill. There are also important questions in respect of representative bodies, for example, for the controlled sector. As is usual, I will air the Committee's

views on those subjects during the Second Stage debate that is scheduled for later today.

Speaking as a DUP MLA, the road to reform has been long and fraught. After two aborted Bills, it is disappointing that this Bill should come before us with such limited time to consider it. The work of the Education Committee in forensically examining the clauses and outworkings of the previous two Bills was exemplary, and showed the effectiveness of the Committee system in the scrutiny of legislation. That said, the two previous Bills were unwieldy pieces of legislation that truly merited clause-by-clause examination, particularly given the radical overhaul that they would have given effect to for the whole education system in Northern Ireland.

The Bill for which accelerated passage is being sought is much less radical but nonetheless important. If legislation is not passed, the education system will not be standing at a crossroads but on a cliff edge. Ideally, I would like to have had the opportunity to scrutinise the legislation in Committee. That process has shown itself to be extremely thorough and effective to date. Similarly, I would have liked the Minister to have brought these proposals sooner, as it was clear for some time that the previous Bill was not going to obtain the support necessary. In fact, the proposals in the Bill bear a striking resemblance to the position that the DUP suggested in 2008.

Unfortunately, the realities of the situation do not permit that. We face the reality that the passage of legislation must be accelerated to ensure that there is service delivery come 1 April next year. It is with reluctance, therefore, that I will accede to accelerated passage. That the Bill is to have no formal Committee Stage does not mean that the Committee will be ignoring its outworkings. I sincerely hope that the Minister and his officials will provide the information necessary to facilitate the work that the Committee will carry out. The time constraint will necessitate promptness from the Department, and I ask the Minister to give his undertaking to cooperate fully with the Committee in its endeavours.

It is regrettable that we have an eleventh-hour solution to a matter that has taken almost six years to resolve. It could have been handled much more effectively had the Department not, with ESA, bitten off more than it could chew. There remain some outstanding issues, which I will go into in more detail during the Second Stage; these issues would have benefited from thorough examination in a Committee Stage. While more detailed consideration of any Bill is always the better course, given the perilous predicament that education will be placed in should the Bill not proceed, we understand the reasons for accelerated passage at this stage.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the Minister bringing forward the relevant legislation to bring our education administration system into line in time for the implementation of RPA on 1 April 2015. Effective and efficient reform of our system has long been sought, so it is fair to say that each and every part of our education system looks forward to this long overdue process of change.

Given the quite considerable time constraints that the Minister and Department face in implementing the proposed changes, Sinn Féin is content that the Bill proceeds with accelerated passage. At the end of September, the Minister briefed the Committee on various aspects of the Bill and took the opportunity to outline the need for accelerated passage. I think that it is fair to suggest that the Committee took on board the rationale presented by the Minister, and I hope that such consensus will be reached again here today. Too often in recent years, political consensus on educational reform has been difficult to achieve. To the detriment of our system and the welfare of our teachers and pupils, the protection of narrow political interests has scuppered much-needed educational reform. To the eyes of many, certain political parties have too often trapped themselves in the straitjacket of zero-sum politics when discussing administrative reform in our education system. They prioritise the narrow needs of a particular interest over the strategic interests of our system as a whole. Indeed, in 2011, the Assembly agreed to the establishment of ESA. However, despite the Minister agreeing to a number of significant compromises, we were still unable to secure political agreement to take the Education Bill forward. There can be no doubt that the delay in reaching agreement on this critical issue is having a detrimental impact on education structures. It must not be allowed to continue.

Given the huge financial constraints being imposed on the Assembly, and specifically on education budgets, the fact that the reform has the potential to save £180 million over the next 10 years should not be cast aside so easily. Not only will the reform deliver much of the savings and efficiencies of the original ESA plans, but it will ensure the effective use of public funds and that the money already invested in preparing for ESA has not been wasted.

The Minister has outlined today the severe implications if accelerated passage were not to be granted and that the 1 April 2015 deadline would, in all probability, be breached. Not only would the system once again bemoan the lack of cohesion and vision from its political representatives in Stormont, but the failure to align our administration structures to that of the review of public administration would place our boards on a precarious legal footing. It is a nightmare scenario that must be avoided. The boards have endeavoured for some years now to shoulder much of the effects of a lack of agreement on ESA. We must not walk away from the table again without agreeing a way forward.

The Minister summed it up well at Committee and again here today when he described the consequence of accelerated passage not being granted as a "scenario of many significant risks". Those risks significantly outweigh the potential for accelerated passage to have any negative consequences given the transparent straightforwardness of a Bill that contains six clauses. I also welcome the commitment from the Minister that this instance does not establish or intend any precedent in bringing forward future legislation. It is a measure for the unique demand of the present situation and the time frame imposed by RPA. In light of such, we are content to support the Minister's request for accelerated passage.

Mr Rogers: I declare an interest as the chair of the board of governors of Grange Primary School. The preamble on the Department's website is still for ESA, but it holds very true for the Education Bill. It states:

> *"The purpose of education reform is to improve outcomes for all young people in education and to ensure equality of access to quality education*

provision. It also aims to streamline education administration to ensure that much needed resources can be directed to supporting front line services."

It is a shame that £17 million has been wasted over the years. Think of it simply as this: you could have employed another 140 teachers over the last five years. What a difference that would have made to raising standards.

We would have liked to have the opportunities to scrutinise the Bill in Committee, and we would have expected the impasse with ESA to be recognised earlier and for the Bill to be brought to the House a bit earlier as well. Let us face it: too much money is wasted in five parallel education authorities. I look forward to one authority. We in the SDLP will support the idea of accelerated passage. As the Minister said, this is a platform for potential future reform, but the platform must be fit for purpose and we must all leave from the same platform. Further procrastination in the education sector is not an option. We will support the accelerated passage, but the authority must be representative of all in the education community. I trust that the new authority will help to reduce the bureaucracy in the management of our education system by reducing duplication and streamlining management structures.

Mr Kinahan: I welcome the Bill. All along, the Ulster Unionist Party has wanted to see a suitable ESA Bill that delivers a better education system in a leaner and more economic manner, so we welcome that sort of streamlining. The spin that was being put out about the Executive all agreeing to this is just not right. The public were misled on that matter, and they should receive an apology. Our Minister opposed the accelerated passage of the Bill, and it is our intention today to oppose accelerated passage. It is sad that we seem to have an interim sticking plaster of a Bill. It makes me think that, once again, we have the two main parties doing a deal.

I know that, in the summer, there were all sorts of discussions, compromises and groups going through, but none of that has ever gone to the Committee or to the other parties. It is as if they are frightened of consultation and of actually talking to people. There has been no effort to work with all parties for a consensus, and I think there is no intention to do so. I wonder whether the DUP has been bought again by the promise of a controlled sector body. We do all want to see a controlled sector body, but we want to see a Bill that works for everyone, and that is why it needed proper consultation. I think that is a very good reason for us to oppose accelerated passage today.

I was not involved with the first ESA Bill, but I was very involved with the second ESA Bill. The second ESA Bill was very different from the first. It did not go through a proper consultation process. In fact, I wrote to every single principal and chair of governors in every school, and 88% said that they had not been properly consulted, yet here we are. It is a disgrace. Here we are, rushing again and accelerating a Bill through that is phenomenally important.

I would like to hear from the Minister whom he has spoken to in the schools, the boards and everywhere else, because we would like to know on what basis the Bill has been put together. Sadly, I could not make the Committee meeting when the Minister was there to answer questions, but I have the transcript. In it, he claims that the previous ESA Bill was agreed. It may have only been agreed by the two main parties, but the reason why it fell was because it was not consulted on or taken through the processes with all the other parties beforehand. If it had not been for the Ulster Unionist Party raising the concerns, we would have had that ESA Bill in place. Here we go again.

We were told in the briefing on the Bill that there are no other options and that, for legal reasons, we must accept that the Bill is the only solution, because councils need to have representation on the library boards and, because they have changed, that legal basis no longer exists. Is that really the right reason, or is it just an excuse to get a quick Bill through that still gives the strength to the Department to do what it wants? Did the Department consider reorganising the elections, or, rather, those from councils on the education committees, in a different way so that we did not have to have this one Bill? Did they look at a different system of SL1s and other forms of Committee work and legislation to actually get it in place and get it working so that we do not have this interim or sticking-plaster Bill?

I believe that the Minister does want to improve our education system and works at it. I just disagree about the fact that he never talks to the other parties as to how it is to be done. I sometimes suspect, especially after what happened with the inspection report, that he is being run by Connolly House and we are not actually being treated to the democracy that we all deserve.

With that all in mind, we have to ask ourselves whether we are being forced to accept this relatively simple Education Bill with accelerated passage because it suits them and not the rest of us. Some I spoke to in the education system said that we should really have three boards, which would be more preferable than one board. It would give us some form of comparability and some form of local accountability, yet, because we have had no consultation, no chance for consultation and no Committee Stage, we will not be able to explore that. If you had three boards, you could have one for Belfast and two others to fit the more rural communities. You could work on it through a proper Bill in time to get it into a more efficient system. Comparison, like competition, is an extremely efficient way of ensuring that a government system works properly.

It looks like we are going to get one single board, and that will become another silo — another monolith that is not answerable to anyone except the Department. We were told that the education and library boards were going to be rebooted. That was back at the beginning of the year. We know that the curriculum advisory and support service (CASS) has been reduced and is struggling. We know that teachers in every school are not receiving the support that they should be and that, consequently, the children in those schools are also not receiving the education. That, of course, works into the future. It now seems that, even when accelerated passage is put in place, that same help is going to be delayed further, until April 2015.

Will the Minister clarify whether money will go to the boards in the meantime and in the future so that that is not the case?

There is very little detail in the Bill, which concerns me even further. How will the educational services actually be provided on the ground? When speaking to the Committee, the Minister said that he wanted a body that is accessible to the schools and communities that it serves. If that is the case, will he outline today how that new body will work on the ground so that it is accessible to schools

and communities? We do not know the structure and we will not be able to discuss it in the Committee in the detail that we should.

The previous ESA Bill wasted £18 million-plus. We do not know how much this new Bill will cost. Indeed, has it had a good economic viability check? It is claimed that the same Bill has had equality impact screening but if you look at how little is in the Bill and how little we know about it, you see that it really does affect everyone in the community. I feel that it needs proper equality impact screening as it goes along.

My colleague raised the fact of negative resolution on one of the clauses in the Bill. The Minister responded that he could not bring forward primary legislation. That is the very reason that we need the Committee Stage and longer to look at this. We need to know exactly what it can and cannot affect. Certainly, we need to change the fact that it has negative resolution.

I put it to everyone here that we should not accept accelerated passage because there has been no consultation. The Committee needs to know much more about the detail of the Bill and has a duty to the public to scrutinise it. No other options are being shown or considered — we are certainly not even looking at the option of more than one board. There is little detail on the structures and organisations that will work on the ground and we have not looked at the actual effects on the community itself. The Ulster Unionist Party opposes accelerated passage.

Mr Lunn: I apologise to the Minister for not being here for most of his statement. I was unavoidably detained.

Those of us who have been with this process since 2007 effectively, which includes the Minister himself and, to a certain extent, the current Committee Chair, would almost accept anything at this stage. We have been through an ESA Bill that was split in two, followed by a further ESA Bill. What we are looking at now are the tattered remnants of what was actually a very good Bill, the second ESA Bill, but it is the best that the Minister can hope to achieve through the House at the present time. Somebody mentioned the eleventh-hour nature of it. Frankly, we do everything at the eleventh hour, do we not? That is the way in which this House works — by deadlines.

We have no problem with accelerated passage. That is what this short debate was meant to be about, although I hear an awful lot of detailed stuff coming in already. What is left of what was a good Bill is so simple. I hear Mr Kinahan saying that we do not know enough detail of the Bill. Well, read it. It is only really a couple of pages. The rest of it is all of the tidying-up stuff, repeals and amendments of previous legislation.

Mr Kinahan: Will the Member give way?

Mr Lunn: Yes, certainly. Go on.

Mr Kinahan: I wonder whether the Member would clarify how, if there is so little detail in it — and I have read it from top to bottom — he can feel happy with accelerated passage when we do not actually know what is coming with it?

Mr Lunn: I do not know, frankly, what the Member means about what is coming with it. We can have that discussion at the next Stage. There is plenty of time, certainly this afternoon, for a lot more detail.

In the meantime, as somebody has already said, the education boards are, in the Chairperson's words, limping along. That is being kind to them — they are almost broken. We badly need a new arrangement. There are certainly questions to be asked about it. Will it save £180 million in the next 10 years as was actually promised for ESA? That was an ESA figure: it does not necessarily apply to this. As regards whether there is one board or three, I have an awful feeling that if the Minister had proposed three boards, the Ulster Unionists would now propose one. We just cannot keep on doing business like this.

Mr Kinahan: Cynical.

Mr Lunn: I know that I am being cynical, Mr Kinahan, but that is the way that it sounds. There always seems to be opposition to everything. I can find no sensible reason to oppose accelerated passage for the Bill. As I said, those of us who have been with it for seven years have to welcome it. It is a stopgap arrangement. A lot more will come down the track eventually, but I will have more to say about that in the next debate.

Mr Agnew: At the outset, I declare an interest as a director of the Northern Ireland Council for Integrated Education, but I am speaking as a Green Party Member.

The failure to agree the ESA Bill was very much a failure of the Executive. Now the Assembly is being asked to consent to that failure by granting accelerated passage for this Bill, and I cannot support that. It is important that we get the Bill right rather than getting it quickly. It is important that Members have time to consider potential amendments, what has been lost from the ESA Bill and what further could perhaps be salvaged.

I understand that there is concern about the footing of the education and library boards. Whilst I am as keen as anyone else in the House for a long-term solution, whatever it might look like, to give certainty to the education sector, a rushed Bill will only ever be a stopgap and will not provide that certainty. I am not sure whether the Bill, or granting it accelerated passage, would serve the purpose that it purports to serve.

It very much appears that the slimmed-down Bill is what can be and has been agreed between the DUP and Sinn Féin. However, it is not what has been agreed in negotiation with the Assembly. It is right that such an important Bill should go through the full processes. The Chair of the Committee referred to it as an eleventh-hour solution. It is too important an issue to be taken forward in this manner, so for that reason, I oppose accelerated passage.

Mr McCallister: I am somewhat surprised that so many Members seem willing to go along with whatever the Executive arm of government demands of us. Are we nothing more than a seldom-used rubber stamp for the Executive? Has the Assembly no aspirations to be something more and be the primary legislative body for Northern Ireland? That is what is at stake here. We should grant accelerated passage only in the most extreme circumstances.

On the one hand, we hear from Mr Lunn, who says that we are so ground down by this that we would accept almost anything at this stage. Effectively, we can write the Executive a blank cheque — a blank cheque to an already

bankrupt Executive. That is why the House should oppose accelerated passage. We are told by Mr Lunn that it is a relatively short and simple Bill. If it is short and simple, why on earth would we do it by accelerated passage? The two do not sit together.

I have been critical of other parties that brought forward accelerated passage. I have been critical of the UUP bringing the Road Races (Amendment) Bill by accelerated passage. I have been critical of the DUP bringing Bills by accelerated passage when it was clearly unnecessary to do so. I refer Members to the Planning Bill, which Mr Kinahan will have experience of. The Planning Bill was introduced to the House on 6 December 2010. I think that Edwin Poots was the then Minister of the Environment. He did not ask for accelerated passage. That Bill had 248 clauses, seven schedules and 205 pages, and it went to Final Stage before the Assembly was dissolved on 23 March, just over three months later. The Committee worked at that Bill. The Committee held extra meetings to get the Bill through. The Committee worked and engaged with the Department to pass the Bill. I believe that we had a better Bill at the end of it.

So, why are the Minister, the Committee and so many Members ganging up and saying that it is right to do this? Why not let the Bill go through the normal processes? This is a failure because we could not agree on the ESA. I refer Members to OFMDFM's statement in July 2012. It stated that discussions had been successfully concluded and that the Bill would be brought to the next meeting of the Executive in order to commence its passage in the Assembly. It is over two years since those discussions were, supposedly, successfully concluded.

I sat on the Education Committee for over a year with the current Minister and other Members here. Ms Ruane brought the first ESA Bill to Committee, then we had a second one and now we have a carve-up deal cobbled together at the last minute to get us over the line. It has been quite obvious for months, and even years, that you were not going to get your way on the ESA Bill. The Assembly, led by many colleagues in here, was broadly saying no. Then you cobbled together this Bill and are proceeding to bypass the legitimacy of the Assembly in having a scrutinising role. I think that it is absolutely disgraceful. We should not use accelerated passage unless we are absolutely convinced that there are no options and that we need emergency legislation.

The Minister has more than adequate time, and I am quite sure that the Chair of the Committee would be willing to have extra meetings, with the time limit set for the start of April to coincide with the new councils, to work hard on that scrutiny. The Minister would have a better Bill at the end of it. So, why the Assembly has to pick up the mistakes and failures of our Executive is beyond me. Why so many Members have willingly coalesced on that, I have no idea. At times, the Assembly should stand up in robust opposition to the Executive and say, "We are not going to be treated like that. We are not going to be used as a rubber stamp when you mess up and cannot get your act together. If you cannot get your legislation into this Building in time, you pick up the problems." The Assembly should be very strong.

I have to say that I am surprised that so many parties in the Assembly, particularly some of the smaller ones that sometimes count themselves as having a more oppositional role, are going along with this. They should reflect and think about how and why we are granting this procedure. The Bill has some controversy in it. It is time that the Assembly stopped writing blank cheques for the bankrupt Executive and started to stand up to them and robustly defend representative democracy.

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 12.28 pm.

On resuming —

2.00 pm

Oral Answers to Questions

Finance and Personnel

Mr Deputy Speaker (Mr Dallat): Questions 10 and 12 have been withdrawn. We will start with listed questions.

Budget Pressures

1. **Mr Swann** asked the Minister of Finance and Personnel to outline the extent of the inescapable budgetary pressures facing the Executive. *(AQO 6792/11-15)*

Finance: Executive Discussions

14. **Mr McCarthy** asked the Minister of Finance and Personnel for his assessment of the conclusions reached as part of the recent Executive discussions over financial issues. *(AQO 6805/11-15)*

Mr Hamilton (The Minister of Finance and Personnel): With your permission Mr Deputy Speaker, I would like to answer questions 1 and 14 together, as they relate to the same issue of budgetary pressures and possible consequences of continued deadlock in the Executive.

As Members will be aware, the Executive agreed the October monitoring resource allocations on 9 October. I updated the Assembly on the outcome of this in my statement yesterday. The June monitoring round agreed resource departmental expenditure limit (DEL) reductions of £77·9 million, equating to 2·1%. An additional 2·3% reduction was required to meet the £87 million cost of not implementing welfare reform. This has now been agreed.

Through negotiations with Her Majesty's Treasury, I have secured access to the reserve in 2014-15 of up to £100 million. This has allowed the Executive to make allocations of £125 million to mitigate the worst impact of these reductions. However, this is far from an ideal solution. It is most unfortunate that the intransigence of some in the Executive has enforced the need to call upon the £100 million facility. This will make the 2015-16 Budget considerably more difficult because, in addition to having to cover £114 million of welfare reform savings lost to Treasury, we will now be faced with repaying an additional £100 million.

Mr Swann: I thank the Minister for his answer. Minister, can you clarify what the £7·6 million allocated to the Public Prosecution Service (PPS) will be used for, with particular reference to equal pay?

Mr Hamilton: That question would probably have been better put to me yesterday. I will do my best, and, if I leave anything out, I will ensure that the Member is written to and informed fully. A pressure had developed. There were two elements that fed into the pressure of over £7million in the PPS. One was to do with casework pressures, but the larger amount was to do with the resolution of a pay settlement in a case that had been settled in the courts earlier this year or late last year. So, it became a legal and contractual requirement and therefore inescapable, as indeed were many of the other pressures that were addressed in the £125 million allocation. They were not necessarily things that we wanted to do or that fitted in with the Executive's strategy of delivering Programme for Government targets. They were things that, legally, we had to do, in this case as the result of a court judgement.

Mr McCarthy: Would the Minister agree that, in the long term, tackling the issue of a divided society will be as important as reaching a sustainable position on welfare reform?

Mr Hamilton: I do not want to be dismissive of the idea, notion or aspiration of ending a divided society and having a more united, and therefore more prosperous, society in Northern Ireland. I think that that is an aim that all of us share. We all have to continue to ensure that we are making every effort that we can to meet that goal. I suppose that it depends on how the Member would define "long term". He is older than me, so long term might be longer for him than it is for me.

The immediate problem that we have is around our Budget. That is exacerbated and not helped at all by what we are having to repay. I know that the Member agrees with me in this regard. The penalties that we are having to pay — £87 million this year and £114 million next year — are creating a real present and pressing problem. That is what we tried to deal with in the October monitoring round. Whilst I think that it is noble and correct to aim to end the divisions in our society, it is not as immediate and pressing as the issue of welfare reform in the context of this year's Budget. However, that does not mean that Members, including myself, or anybody else should be dismissive of trying to break down barriers that are costing government in Northern Ireland money on an ongoing basis.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. The inescapables to which the Minister referred today and yesterday are no doubt partly a result of the fact that the cuts got deeper and deeper the closer you got to the end of this budgetary period.

In his correspondence and communication with the Treasury, how has he pushed the Treasury to change its policy direction? It is clear that the Tories are intent on further cutting our Budget and ensuring that the financial crisis that we face continues, as it looks set to do.

Mr Hamilton: The Member is right to identify that our Budget is facing a number of pressures. I have not denied that, do not deny it and will not deny it. I have spoken at length in the House about the pressure that not progressing with welfare reform is having. No one in the House, regardless of their position on the policy of welfare reform, can deny that the pressure is increasing. Last year, it was £13 million; this year, it is £87 million; and, next year, it will be £114 million. That pressure will grow and grow. According to work that DSD has carried out, it is anticipated that in excess of £300 million will come out of our Budget in 2018-19, if we have not progressed with welfare reform legislation by that stage.

There are other pressures. The Member will be aware of pressures in respect of public sector pensions. Departments are having pressures as well, although he is right to point out that many of the inescapable pressures that we have addressed became inescapable because of the stage in the financial year at which we were taking decisions to trim other budgets to help to pay for them.

Yes, they were deemed to be inescapable, but the degree to which they became inescapable was exacerbated by our lack of taking a sensible decision, back in June — a decision to take the full 4·4% out at that time, which I recommended but which the Executive did not endorse. The Member is right: there are other pressures. They include the fact that our resource budget has remained fairly flat. It has risen, but, in real terms, it is due to go down by 1·6% next year. That presents a challenge on top of all those other challenges that we face.

I am sure that my party's Members of Parliament will ensure that Northern Ireland's voice is heard in Parliament and that, where there are unnecessary, unfair reductions to our Budget, the Government in Westminster will hear, loudly and clearly, that they are not acceptable. I wish that others would perhaps join us in making that call in the appropriate place.

Mr I McCrea: Can the Minister outline the potential implications if the Executive fail to agree a Budget for 2015-16?

Mr Hamilton: The Member is trying to lure me into a scenario that I do not want to contemplate, which is not having a Budget in place for next year. There are two ramifications, one of which is in the short term. The letter from the Chancellor of the Exchequer to the First Minister was shared with Members yesterday, and it was very clear. There is a condition within it that we have to agree a credible plan and a balanced Budget by the end of this month if we wish to access the £100 million facility made available through the national reserve. I think that I have made clear over the last number of days — certainly, yesterday — how necessary that £100 million is to ensuring that we live within our means this year. So, in the first instance, we need to agree a Budget to ensure that we can access that money, and all those hellish, nightmarish scenarios around cuts to public services can be avoided.

In the longer term, I suppose, there is a concern that the deadlock will continue, primarily because of a lack of agreement on welfare reform and the ramifications that that will have for next year's Budget, in penalties and other costs, and we are unable to agree a total Budget. I remain optimistic that we can get a draft Budget out the door, and I will be making every effort in the coming days and weeks to ensure that we meet the deadline of having it agreed by the end of October. Of course, section 59 of the 1998 Act empowers the permanent secretary of my Department to allocate up to 95% of the previous year's Budget to the next year's Budget, but I think that everybody in the House will agree that we do not want to get into a situation in which civil servants are making that sort of decision. We should have the ability and courage to move forward with what will be a very difficult Budget and to take necessary decisions in the coming days and weeks to ensure that we have a balanced budget and a credible plan to move forward on that basis.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister clarify whether he intends to address the residual equal pay issues within the Northern Ireland Civil Service and will that include civil servants who, previously, were with the Northern Ireland Office?

Mr Hamilton: When I hear "equal pay", I know and the Member will be aware that there are at least two issues. One is for those who are leavers and retirees, and the Member will be aware that, over the last number of months, the Department has settled that case with the union and is actively trying to ensure that those who are entitled gain access to that settlement. That was, of course, changed by the number of years one was out of service, and I think it was the Abdulla case in Birmingham City Council that changed the legal position in respect of that. I cannot remember the precise figure, but my understanding is that the vast majority of cases have been settled and that there is a residue of a number of cases that have not been settled. We will continue to work over the next while to try to make contact with those who are entitled to ensure that they get what they are entitled to.

The other issue that has been raised with me several times in this House is in respect of former employees of the NIO and the police. I think that the House knows my position on this. I want to deal with that issue. I always repeat, at the risk of sounding like a stuck record on this matter, that there is no legal entitlement for those people to have access to the previous equal pay settlement. Notwithstanding that, I think that there is a moral case. I have put a solution to the Executive that I think deals with the matter to address that moral case that I believe is there. Unfortunately, that has not found favour on all sides of the Executive. To be fair, most Ministers, including the Member's party colleague and, indeed, other Ministers, including party colleagues of mine, have contacted me and said that they are content with the solution that I have put forward. Unfortunately, the problem and the blockage on this matter rest with Sinn Féin, which wants a solution that, I believe, does not take cognisance of the fact that there is no legal entitlement. If we were to follow through with that solution, it would be unaffordable to the Executive. Surprise, surprise —

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up.

Mr Hamilton: — Sinn Féin expects us to go off to London and ask for them to give us the money to pay for it.

Revenue-raising Proposals

2. **Mr Boylan** asked the Minister of Finance and Personnel to outline his Department's proposals for raising revenue under the current local fiscal arrangements *(AQO 6793/11-15)*

Mr Hamilton: In Budget 2011-15, the Executive agreed that the levels of domestic and non-domestic regional rates would be increased in line with inflation. For next year's budget, my Department is working on the assumption that this policy will continue and that the level of the regional rate for the 2015-16 year will increase by the rate of inflation.

Mr Boylan: Minister, in order to increase our local resources and maintain our front line provisions, can you outline any proposals for targeting local levies that will assist our budgets at this time?

Mr Hamilton: I might be the only person in the House, but I think that I know what the Member is getting at. There seems to be some confusion in different quarters. I suspect that he is talking about the Executive taking on more tax-varying powers that might assist us in some way or another. Again, I think that I have been fairly consistent in coming to the House and saying that I do not have a

reflexive, knee-jerk response to it where I think that all tax-varying powers should be ruled out. It is quite the opposite. I think that I have set down very clearly the tests that I think need to be passed on further tax devolution to the Assembly. One is that it needs to be affordable; secondly, it needs to have a very clear social and/or economic benefit to Northern Ireland. On that basis, we have supported and have gained the devolution of air passenger duty for long haul flights in the past because it was affordable and it secured our only direct flight into North America. We continue to pursue, and I remain optimistic that we will get, the power to devolve corporation tax to Northern Ireland. Whilst that is more expensive than air passenger duty for long haul flights, it is, I think, affordable, and it does produce the very clear long-term benefits of increased jobs, and jobs that pay well in excess of the average wage in Northern Ireland.

My Department has undertaken a piece of work on other powers that could be devolved to Northern Ireland, consistent with the commitment made in the economic pact that was agreed with the Prime Minister in June 2013. I hope to have that piece of work and the conclusions contained therein with Executive colleagues in the next number of weeks. Our initial reading of that is that, in having very clearly defined social and economic benefits for Northern Ireland, there are no other or not many taxes available to us or ones that we might take that would have the same transformative effect that corporation tax would have or which would pass that affordability test.

2.15 pm

Mrs Cameron: Does the Minister have any plans to reduce or remove anything from the rate scheme for next year?

Mr Hamilton: The Member and, I am sure, the House will be aware that the small business rate relief scheme, which was introduced a number of years ago and which has been extended twice since, has a shelf life whereby it ends at the end of this financial year. I have initiated and am close to the conclusion of a review that is being carried out by the Northern Ireland Centre for Economic Policy (NICEP) into the merits of the scheme and how it has functioned, and, of course, that will then inform any decision that I might want to make, in the context of next year's Budget, as to whether we extend that scheme any further. That is the only one that there is no doubt or a question mark over. I think that I made it pretty clear that I think that there is merit in some type of scheme moving forward, because, when the scheme was introduced, we were in the middle of the recession, and whilst we can confidently say that we are in recovery now, certain sectors, particularly retail, continue to suffer in particular parts of Northern Ireland. So, there is probably a need, I believe, for some sort of scheme to continue. The complexion and the quantum of that will be something that the work of NICEP will help to inform. Above and beyond that, none of the other rate reliefs will be taken off the table or done away with in the next financial year.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire as na freagraí cuimsitheacha. I thank the Minister for his comprehensive answers. Could he provide us with some detail as to what assets he or his Department have identified that could be used to realise revenue?

Mr Hamilton: I do not have a list of all the assets. I am sure that, if I had that list and started to read it out to the Member, I would exceed my two minutes. I would probably take the entirety of the remainder of Question Time, including Health questions.

There is an active asset management strategy in place that has been agreed by the Executive, and it is taken forward primarily by properties division in my Department and in conjunction with OFMDFM. That is identifying, on an ongoing basis, those assets that are no longer required by the public sector and looking at the best option for realising and accruing better benefits for the public sector, and that could involve selling those assets and getting a capital receipt. Sometimes it involves getting planning permission for an asset or a site so that you increase the value of it. It also involves decanting, and my Department has been very active in moving out of some leased estate that we have and going back into some of our own estate or moving into new offices that are better suited to modern work practices. That is saving a considerable amount of money, year on year, but that needs to be continually assessed and looked at on an ongoing basis because opportunities will present themselves.

The Executive have actively pursued realising benefits from assets sales over this Budget period, and the Member will recall that, at the start of this Budget period, it was our capital budget that was under real pressure and we needed to sell assets to get money to invest in infrastructure. That has happened and will continue to happen where and when it is appropriate.

Welfare Reform: Economic Impact

3. **Mr Milne** asked the Minister of Finance and Personnel who will draw up the terms of reference for the independent research on the economic impact of welfare reform. *(AQO 6794/11-15)*

5. **Mr Girvan** asked the Minister of Finance and Personnel whether the impact of welfare reform on Northern Ireland study, commissioned by the Northern Ireland Council for Voluntary Action (NICVA), is an accurate reflection of the current financial and economic pressures facing Northern Ireland. *(AQO 6796/11-15)*

Mr Hamilton: Mr Deputy Speaker, with your permission, I would like to answer questions 3 and 5 together.

The issue with the report on the impact of welfare reform on Northern Ireland, commissioned by NICVA, is not so much with the report itself but rather with how the information has been interpreted by some parties. Indeed, NICVA recently stated that some £500 million of the much quoted £750 million that will be taken out of Northern Ireland as a result of welfare reform relates to changes that have already taken place or which are outside the control of the Northern Ireland Executive. In addition, the NICVA report focuses only on one side of the equation and takes no account of the potential impact of welfare reform on local labour markets or of the adverse impact of reductions in departmental budgets as a result of non-implementation. In order to provide some much needed clarity on the impact of welfare reform, I have commissioned an independent review, the terms of reference for which have been draw up by my officials and shared with the Department for Social Development.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire go dtí seo. I thank the Minister for his answer. Has there been any cross-party agreement on the terms of reference for the research?

Mr Hamilton: As I pointed out in my initial response, the terms of reference have been drafted by my Department and shared with the Department for Social Development. Whilst I have not got explicit or particular cross-party support for the terms of reference, they touch on a range of subjects that I am sure everyone agrees need to be looked at. They include the policy implications for the Northern Ireland Executive of not maintaining welfare parity; an assessment of the modelling assumptions that currently exist for welfare reform; an assessment of the regional economic impact that the proposed national welfare agenda may have, which includes opportunity costs of forgone public expenditure due to penalties; and the additional consequences that might flow from continuing to deviate from national welfare reform policy, including the implications for IT systems and the delivery of social security payments. Those are not all the things that it will look at, but I am sure that there would not be much dissent from any quarter of the House on whether we should look at those things and get an independent view.

I was before the Finance and Personnel Committee some weeks ago and was pressed by three members of the Member's party to do work like that. I shared with them the fact that it was already my intention to do work like that, because, whilst the Executive had spoken about doing some work, they had not been able to agree to take it forward, so I thought that, to help to inform the situation, I should do it. I took the Committee's comments as an endorsement of that work. We need an independent review that helps to inform the situation better, because there are a lot of figures floating about out there, not least the many figures being thrown out erroneously by members of his party. The figures that I know that are really starting to bite relate to the fact that, every week that passes, £1·6 million of public expenditure that could help people in Northern Ireland is not helping them, because we are paying welfare reform penalties this year. With every month that passes, £7·2 million is lost to the Executive.

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up.

Mr Hamilton: We cannot tolerate that, and it needs to be addressed as quickly as possible.

Mr Girvan: The Minister mentioned the figure of £750 million that was bandied about in the NICVA report. Why is that figure much lower now?

Mr Hamilton: I think that NICVA is being unfairly tarnished by that. Work was carried out on NICVA's behalf by people at Sheffield Hallam University. That figure is out there and has been cited by many, so it has become somewhat authoritative. From listening to contributions on the radio, particularly that of Seamus McAleavey from NICVA, it has been very clear, certainly in the last fortnight, that some have taken the full figure of £750 million and thrown it out there as being the gospel truth on what is being lost, when, by NICVA's own admission, £500 million of that has already gone from Northern Ireland's budget. There are multiple reasons for that, and they are very clear. Some have been passed because of changes that took place at Westminster that we have no control over, and some have taken place because of decisions in this House.

I see that a former Minister for Social Development is in the House. Some of the reductions in our overall welfare expenditure are the result of legislation that he passed, or perhaps it was his predecessor who started that legislation. I was the Chair of the Committee during that entire period, but it went through when Mr Attwood was Minister. Issues such as the 1% uplifting of benefits, which was lower than had previously been the case, were voted through the Assembly. In many cases and in those cases in particular, the House voted for them. Some of the parties that oppose the passage of the current welfare reform legislation voted through or certainly did nothing to stop those impacts on welfare in Northern Ireland. Therefore, in some respects, with regard to the figure of £500 million out of £750 million — I am not saying that I accept all the figures — there is accountability on the other side of the House for those reductions.

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up.

Mrs D Kelly: Minister, I note your acknowledgement that the figure of £750 million is over the four-year period and is not actually wrong, but will the terms of reference for this work include the proposals going through Westminster for changes in childcare and the cap on the cost of welfare coming to devolved Administrations? In other words, will it reference not just current but future cuts?

Mr Hamilton: If we knew what the future cuts will be and had that sort of precise information about the future, perhaps we would do the lottery at the weekend. I assume that the Member is referring to comments made by the Chancellor in the past few weeks. They have to be seen in the context of being pre-election commitments or statements. It will be interesting to see whether they survive after the next election, no matter who is in power. Those things are interesting and show that the future direction of policy on welfare at a macro-UK level will continue to be restraint. That is why we have to get our act together on welfare here in Northern Ireland.

We have already seen swathes of welfare reform legislation come through, many of which are having a difficult impact on people in Northern Ireland. Some came through in the last Assembly mandate, when the Member's party was in charge of the Department for Social Development. Want I want to see from this work is that the current problem that we face, which is causing budgetary difficulties and political difficulties as a consequence of the budgetary problems, is independently reviewed and assessed. There are a lot of figures out there, and people are saying this and that. We need an authoritative independent review that hollows out the particular set of circumstances that we now face. That is the spirit in which the work has been commissioned. It will be carried out independently, and I hope that the figures and conclusions that come from it will be accepted on all sides of the House, because that is the spirit in which they are being offered. It is a genuine attempt to carve a way through the morass of figures because people are clearly somewhat confused about what the truth is.

Mrs Cochrane: It is disappointing that the former Social Development Minister was not so proactive and did not instigate that type of research, meaning that the current

Finance Minister has had to step in and do his job for him. How will the Minister avoid the new research becoming an excuse for Sinn Féin and the SDLP further to defer a decision?

Mr Hamilton: The Member is somewhat unfair in her criticism of the previous Social Development Minister, who did attempt to get work like this done. In fact, well before the summer, at a much higher level, the First Minister initially suggested that the Executive carry out work like this to do exactly what I said to Mrs Kelly, which is to get a genuine hollowing out of all the problems that we face with the current welfare legislation, the economic and social impacts and the cost to the Northern Ireland Executive of not progressing it. Unfortunately, there was a lack of agreement from Sinn Féin to move forward on that. I thought that there was still considerable merit in doing that work, and that is why I have taken it on. It will be copied to Executive colleagues to help to inform their overall deliberations.

As to the Member's question about this being a cause of further delay, I can assuage her concerns and calm her nerves. This will be a short, sharp piece of work carried out on our behalf. We have gone through a procurement process, and the people are in place and doing the work. I expect that it will take no more than four weeks and that I will have the report in front of me by the middle of November at the latest. It will not run and run so that parties that may wish to procrastinate further can say that they will wait for the outcome; they will have it in their hands within a number of weeks.

Rates: Convergence

4. **Mr Kinahan** asked the Minister of Finance and Personnel whether the funds intended for the convergence of district rates will be extended beyond a two-year period. *(AQO 6795/11-15)*

Mr Hamilton: I am considering the consultation outcomes before finalising the arrangements for next year's scheme. Our analysis to date suggests that the funding allocated by the Executive will deliver a scheme that will help everybody affected for a longer period than two years.

I intend to announce the full details of the scheme in the next few weeks, once my Department has completed the overall costings to ensure that the scheme stays within the budget set by the Executive of £30 million for rates revenue forgone. That work had to wait until the outcome of the non-domestic revaluation was known and will be completed shortly.

2.30 pm

Mr Deputy Speaker (Mr Dallat): Unfortunately, we will not have time for a supplementary question, because that ends the period for listed questions. We will now move on to topical questions. Topical question 1 has been withdrawn.

Empty Premises Relief: North Down

T2. **Mr Dunne** asked the Minister of Finance and Personnel how many businesses, particularly in North Down, have benefited from the empty premises rate relief scheme, given that he will no doubt be aware of the burden of business rates on business owners in Northern Ireland. *(AQT 1602/11-15)*

Mr Hamilton: The Member is right. No matter what town I go to in Northern Ireland, traders and business owners always raise issues about rates.

To answer the Member's specific question, I am very pleased to be able to report that a total of 331 properties across Northern Ireland have benefited since empty premises relief was introduced in April 2012. That means that £1·367 million of rates relief has been allocated to those properties over that period.

We do not have figures by constituency, but 14 properties have benefited in the North Down Borough Council area. That area covers most of the North Down constituency — there is just a little bit of Ards where I live that is not in there, but we will all be one big happy family in a number of months anyway. Therefore, 14 businesses have opened since the inception of the scheme and as a result of my predecessor's initiative.

Mr Dunne: I thank the Minister for his detailed answer. Will he assure us that he will continue with the scheme?

Mr Hamilton: Some 331 businesses across Northern Ireland have opened as a result of the scheme. It has not just been small businesses. There was maybe a view at the start that the scheme would very much focus on retail, but it has not just been retail businesses, such as corner shops or other small retail units, that have benefited. Cafes, restaurants and a range of different businesses have benefited. One of the biggest beneficiaries was the Marine Hotel in Ballycastle —

Mr Frew: Hear, hear.

Mr Hamilton: — which reopened last year using that scheme. I hear a welcome for that from the Back Benches. As Mr Frew will testify, that has breathed a bit of life back into that part of Ballycastle and has helped to rejuvenate the tourism product in that beautiful part of Northern Ireland.

I was able to visit a couple of the recipients of empty premises relief in my own constituency last week. Whilst the policy was about filling vacant spaces in high streets and town centres across Northern Ireland, the two businesses that I visited have, between them, taken on a total of five employees. So, those are new businesses that are filling units that were otherwise vacant, but they are also employing people in businesses and new businesses across Northern Ireland.

It is a policy that is working. If we have a situation in which retail is still suffering and there are still vacant units in our town centres and high streets across Northern Ireland, I will want to seriously look at extending that scheme beyond its life, as it is due to run out at the end of this financial year.

Financial Transactions Capital: Projects

T3. **Mr Humphrey** asked the Minister of Finance and Personnel what type of projects are being funded using financial transactions capital this financial year. *(AQT 1603/11-15)*

Mr Hamilton: The Executive have allocated over £38 million of their allocation for financial transactions capital this year. We have a total of between the high 60 millions of pounds and £70 million, given the roll-forward of cash from last year that we were able to take into this year. So, we had

around £70 million of financial transactions capital to spend in this year, and we have allocated £38 million of that.

The projects that are receiving that capital are the agrifood loan scheme, the Northern Ireland Science Park, GP and dental practices for some modernisation work that they are carrying out, a range of housing schemes within the Department for Social Development and, of course, the University of Ulster's relocation project to the Member's constituency of North Belfast. So, a range of projects across different Departments are soaking up that £38 million so far.

Mr Humphrey: I thank the Minister for his answer, and, obviously, I welcome the investment in north Belfast. Is the Minister concerned that some of the FTC available will not be spent?

Mr Hamilton: I am concerned to an extent that, if we have roughly £70 million of FTC this year — we are allowed to carry forward either 5% or 10%, which works out at roughly £5 million — we should be able to underspend this year, not lose it in subsequent years, and roll it into the next financial year. Whatever way you cut it, there is still a sizeable amount of financial transactions capital that is unallocated, and we are nearly halfway through the financial year. Officials in my Department are actively working with officials in other Departments to get them to come up with schemes that could use that money in-year. That work is proving to have mixed results. Some Departments are very active in coming forward with schemes; others have yet to come forward with any.

I continue, frequently, to encourage Ministers to open their mind to the possibilities that FTC creates for bringing forward capital projects that might otherwise not be funded from within their budget. I understand that it is different, it is new and it requires Departments to work proactively with the private sector, which is not necessarily what they are used to doing in the delivery of a project. However, this is the way that an increasing chunk of our capital budget is coming. I think that it will be an increasingly active feature of capital budgets moving forward. As that is the case and as we are looking at FTC comprising around 10% of our overall capital budget next year, Departments will have to think up new ways in which that money can be spent. As I say, we are working on a few projects that could take up the remaining allocations from this year, and I hope that we might be able to report some progress in the remaining aspects of the October monitoring round, including capital allocations, which I will bring to the House in the next number of weeks.

Rates Convergence

T4. **Mr Rogers** asked the Minister of Finance and Personnel whether the £30 million that has been set aside for rates convergence is ring-fenced or part of the ongoing budgetary discussions. *(AQT 1604/11-15)*

Mr Hamilton: The £30 million has been set aside for rates convergence. I did not get a chance in response to Mr Kinahan, who was cut off in his prime earlier, to knock down some of the myths and erroneous information that were put out by certain quarters of the media last week about the scheme. It was presented, particularly by the BBC, as something that had come out of the blue, as though we did not know that there were going to be issues in the converging of one council with another or, in some cases, the convergence of three councils or, in one instance, of four councils. It was identified a long time ago by the Executive. Mr Rogers's colleague to his right-hand side, from his time as Minister of the Environment, will recall that it was several years ago — I think that it was 2012 — that the Executive first agreed that they would set aside £30 million for convergence, recognising that there would be an impact from convergence on some members of the public and ratepayers. It is money that has been set aside, and it is, in that sense, ring-fenced and will not be affected by any of the issues around the Budget that we continue to negotiate.

Mr Rogers: I thank the Minister for his answer, and, as he said, this was agreed a number of years ago. In the budgetary discussions that are about to take place, is any consideration being given to the possibility that more money might be needed to smooth the transition?

Mr Hamilton: It has not, although there is a provision in the Local Government Act for a review of the scheme, I think, midway through. In my view, that is more about the functionality of the scheme and whether it is working properly and smoothly and having the effect that we want it to have in easing the convergence of one level of rates with another. Obviously, we will have to consider the totality of issues. Funding will come up in that review, but we will have to consider it in the context that it will be midway through a scheme. The scheme is likely to last three or four years; if we go two years forward, it will be in the middle of a phase in our budgeting where it will be incredibly tight and the availability of more cash for a scheme like that — indeed, for any type of scheme — will be fairly limited.

Treasury Bailout

T5. **Mrs McKevitt** asked the Minister of Finance and Personnel what the process will be for the £100 million bailout referred to in the letter from the Treasury to OFMDFM, given that there is a condition in it that a Budget for 2015-16 must be agreed by the end of October. *(AQT 1605/11-15)*

Mr Hamilton: I will correct the Member on one point: the letter from the Chancellor was to the First Minister. She is right to point out that there is something that is described as a "condition" in the letter. I do not think the condition that we should agree a draft Budget by the end of this month is a condition; it is something that is consistent. It is a condition in terms of our access to the reserve, but it should not be an onerous condition for the Executive. It is something that we should have done several weeks ago. It is something that I have been pressing for as far back as December last year, when I wrote to Executive colleagues about what I thought would be the ideal Budget process in the lead-up to the next financial year. Unfortunately, that ideal process got overtaken by a lack of movement on issues like welfare reform, which clearly inform next year's Budget. I have been pressing, particularly since the return from the summer break, the need for us to agree not only on a way to deal with the in-year position, which we have done, but on a draft for the 2015-16 Budget so that we can get it out for public consultation and have discussions on agreeing a final Budget towards the end of this year or early next year. That sort of timetable can still apply.

A lot of work has been carried out by my Department to set up the early stages of a draft Budget. There will be headline issues that we will need to discuss, and obviously the repayment of the loan is a factor that will have to be considered in light of discussions on next year's Budget. We would have been working towards the end of this month anyway to get a draft Budget agreed. That allows us to go out to public consultation and will help and inform our deliberations on the final Budget. We hope to have a final Budget in place by the early part of next year. That gives Departments roughly three months to plan for what will be a very difficult Budget next year.

Mrs McKevitt: What effect will that have on the Programme for Government? If it does not work out, what is his plan B?

Mr Hamilton: I do not plan to fail. As long as the effort that my party colleagues in the Executive and I put in is met by goodwill and similar effort on all sides, we can agree a draft Budget by the end of this month. How next year's Budget impacts on the Programme for Government is not particularly a direct responsibility for me apart from the targets in the Programme for Government that are directly related to the Department of Finance and Personnel. However, as I said on the programme board for the Programme for Government, a mid-term review of the Programme for Government has been carried out. That will see some new targets introduced, and it will see existing targets extended in light of the fact that we have extended our term by one year. The Budget clearly has an impact on that, because how testing you are of the targets that are already in the Budget will be impacted on by the resources that a Department has. If you want to stretch a Department on a particular target, you have to be careful and mindful of the fact that it will need money to achieve those targets. If Departments are going to take hits to their budgets, as many will next year, perhaps those targets, as they are elongated, should not be stretched in a way that makes them more difficult to achieve.

County Hall, Ballymena

T6. **Mr Swann** asked the Minister of Finance and Personnel whether he has any information on the future of County Hall in Ballymena, given that the building has seen the removal of DVLA staff, could potentially see the removal of North Eastern Education and Library Board staff and will lose planning division staff because of RPA. *(AQT 1606/11-15)*

Mr Hamilton: I do not.

Mr Swann: Would the Minister mind finding out, as it is part of the DFP estate?

Mr Hamilton: I am sorry that I do not have instant recall on every building in the extensive portfolio of properties that my Department is responsible for. However, given that the Member has raised it and that it is an issue for him, for the constituency and for those who work in it, I will correspond with him on the proposed future for County Hall in Ballymena.

Mr Deputy Speaker (Mr Dallat): That concludes topical questions.

2.45 pm

Health, Social Services and Public Safety

Health: Budget Pressures

1. **Mr Beggs** asked the Minister of Health, Social Services and Public Safety to outline the extent of inescapable budgetary pressures facing his Department and its arm's-length bodies. *(AQO 6807/11-15)*

Mr Wells (The Minister of Health, Social Services and Public Safety): My Department has faced considerable financial challenges in 2014-15, with £160 million of additional resources estimated to be required to balance the books. Some of these have been addressed through the £80 million of additional funding that we received at the Executive on Thursday, but some £70 million remains to be managed.

The situation does not get any better in 2015-16, with additional pressures in the health and social care system of over £300 million on top of those pressures carried forward from 2014-15. Those will be dealt with through non-recurrent measures. The largest inescapable pressure in this is additional pension costs, estimated to be in the region of £90 million. There are also substantial pressures in 2015-16 in relation to demographic changes, National Institute for Health and Care Excellence (NICE) drugs, elective care, mental health and learning disability resettlements.

Mr Beggs: Recently at the Health Committee, officials revealed to me that the trusts were on schedule for a deficit of some £130 million but were recently awarded £60 million by in-year monitoring. Would the Minister accept that when pressures first emerged this time last year and were not addressed by the annual Budget process, difficulties with inefficiencies and growing waiting lists were mounting up? We now also understand that there has been an increase in the number of elective operations cancelled because of staff shortages. Would he accept that there are major problems resulting in the failure to manage the finances of the health service?

Mr Wells: The Member is correct. The current reported deficits for 2014-15 amount to £133·3 million. Clearly, some of the £60 million and £20 million will have to be used to address those issues. Also, the trusts have been told in no uncertain terms that they must balance the books for this year. That will be extremely challenging.

In my previous capacity, I regularly met the chairs or chief executives of the trusts. In the first three years, they were somewhat relaxed about their budgetary situation and said that whilst it was challenging, they were going to meet their targets. This year, they are telling me that it is extremely difficult.

The reason for that is not inefficiencies as such; it is this radical change in demand that we first saw coming into the system in autumn 2013. That has remained the situation: we are getting more and more demand, and yet our bottom line in increasing budget is only 2%. That is the pressure that is beginning to tell. Efficient, well-managed trusts are telling me that they are finding it very hard to manage.

They believe that it is not inefficiencies; it is simply the sheer number of people presenting for treatment.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answers so far. Given the pressures that the Minister outlined, can he give a rationale for the increasing costs in the administration of the Health and Social Care boards?

Mr Wells: The Health Committee, when I was Chair, looked at the issue of administrative costs in the health and social care system in Northern Ireland. The figure that they came up with was 4·1% on a £4·65 billion budget. That compares very well with health authorities in the rest of the United Kingdom and, indeed, internationally.

Any organisation that is administering such a large amount of money and can keep its admin costs down to that level is relatively efficient. However, even if we were to take a percentage point out of that, which would mean a radical downscaling in admin staff, that would not come anywhere near what we need to achieve to balance the books for this year.

There are radical changes ongoing in the health service; for instance, the Transforming Your Care initiative, which requires highly qualified administrators to carry out that change. So whilst we are dedicated in this incoming year to looking at admin charges, I do not think that that is a silver bullet.

It is clear that the problem is increased demand: 6% as far as the clinical aspect is concerned. I met the Ambulance Service on Friday in Limavady and their stats show a 5% increase in demand for their services, so there is no great science involved here. The difficulty is that as society ages and we become more infirm, demand rises. The result is a huge pressure on budgets. I do not believe that it is inefficiency; I believe that it is simply the effect of demand.

Mr McKinney: Minister, is it not true that it is not just demand? Given your predecessor's acknowledged waste in the health service, the fact that the health service spent £50 million in the last two years on bank staff, a significant proportion of which did not go to front line services, tens of thousands of cancelled appointments every year, and boards' staff numbers swelled by 25% —

Mr Deputy Speaker (Mr Dallat): Question.

Mr McKinney: — and more in the last two years, what action are you taking to audit across the Department, the board and the trusts to ensure that existing budgets are providing best value for money and best outcomes for patients?

Mr Wells: The honourable Member for South Belfast is correct: we must always look for value for money in expending such a huge budget. As my predecessor said just before he left office, "Is every penny being spent absolutely correctly? No, there will always be opportunities for savings". However, remember that he, in his first three years of the CSR, took £490 million in savings out of the system and transferred it to front line care and more important matters in the budget. This year, we have pledged ourselves to £170 million of efficiencies, and that has caused each trust and the board to examine every aspect of expenditure.

There are certainly more efficiencies to be made, but I do not believe that that will solve our difficulty. I am absolutely convinced that it is the sheer numbers coming through the clinics, the GP surgeries and the hospitals that are causing our problem, and the stats show that. It does not take a genius to work out that, if demand continues to rise at GPs — they have confirmed that — at clinics and at hospitals, and there is more out-of-hours demand, we will inevitably require more money to do it. You can achieve only so much in the way of efficiencies before you end up needing more money. "More money" sounds dramatic, but is only something like 2·2% of the entire budget that we are looking for as extra resource and is not a huge amount in the overall scheme of things. It seems a large quantum because you are dealing with Health, which is the biggest-spending Department in the Northern Ireland Executive.

Mr Deputy Speaker (Mr Dallat): Before calling the next Member, I appeal to Members to please be brief in their questions, because long questions generate long answers, meaning that fewer Members have an opportunity for their questions to be answered.

Cancer Services: Crisis

2. **Mr Brady** asked the Minister of Health, Social Services and Public Safety for his assessment of the reported crisis in local cancer services. *(AQO 6808/11-15)*

Mr Wells: Over the past decade, we have witnessed significant progress in cancer provision in Northern Ireland, which has led to real improvements in outcomes for patients across a wide range of cancers. A recent Europe-wide study shows that Northern Ireland cancer survival rates for lung, breast and prostate are the best in the UK. These improvements have been brought about through investment in cancer services and by a major refocusing on how the service is delivered. We have established cancer targets, instigated extensive reforms and invested in the staff and infrastructure necessary to bring our cancer services up to the standard expected of a modern high-quality health service. We have also been able to provide better access to a wide range of evidence-based treatments, including drugs and radiotherapy.

The improvements have been impressive, but we must not be complacent. They have all been achieved against a background of increasing demand. Since 2009-2010, the number of patients receiving treatment for cancer after an urgent referral has increased by 42·3%, which again emphasises the point that I made earlier. With an ageing population, that figure is likely to increase. It is predicted that, by the age of 75, one in three in Northern Ireland will have cancer.

Mr Brady: I thank the Minister for his answer. On a recent 'Spotlight', consultants raised concerns around cancer research. How does the Minister respond to those concerns? Go raibh maith agat.

Mr Wells: I watched that programme twice on the iPlayer just to make certain that I had picked it up correctly. I also met Mr Allister Murphy, who was one of the main, very articulate spokesmen on behalf of cancer sufferers. I met him in my office here at Stormont. Some very strong points were made, but, as he knows, before that programme was made, we had instigated the individual funding request (IFR) review process. We are looking at the whole individual funding request mechanism to see whether the exceptionality test is fit for purpose in the present situation. That is due to report to me at the end of November, so

that is how urgently we take the issue. At the moment, that is the best vehicle to deal with the issue rather that instigating other measures.

I do not know what that report will say, but it may deal with many of the issues that the Member has raised. Remember that we, as a society, have increased our spending on drugs by £30 million, and a large percentage of that has been on cancer drugs. The outcomes indicate that we are doing very well, and, most importantly, for the first time in Northern Ireland's history, more people are now living with cancer for five years after diagnosis than have passed away.

It is moving from being a very life-threatening condition to a long-term one. Of course, there are still many who have had the trauma of receiving very bad news indeed, but the movements are in the right direction. I congratulate the staff at the Belfast City Hospital cancer centre and all the clinicians who have done so much to take us to the forefront on these issues. We can do better, but this is a good news story. When I was young, which was a very long time ago, as you know, Mr Brady, 82% of those who had leukaemia in childhood passed away. Now, 82% are alive after five years. We have made real, major changes. Investment in cancer services over the last 10 years has been considerable, including, of course, the opening of the new cancer centre, in which we invested £70 million.

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up.

Mr G Robinson: Will the new cancer unit at Altnagelvin hospital relieve some of the cancer service pressures in Northern Ireland?

Mr Wells: Even the Chair of the Health Committee had a small smile on her face when I announced this morning that the radiotherapy unit at Altnagelvin in Londonderry will open on time in 2016. I know that that is of great benefit to Mr Robinson's constituents in Limavady and other areas. Not only is that good news for the north-west, it is good news for Northern Ireland. By 2015, the City Hospital cancer unit will be at full capacity, so Northern Ireland plc will not have sufficient spaces.

It is also good news for the people of the Irish Republic. Cancer sufferers in places such as Donegal, Sligo and Leitrim will no longer be forced to go the whole way to Dublin; they can go to Altnagelvin for their treatment. This is a good example of the Irish Republic and Northern Ireland working together on an issue of common concern. It shows that it is not a one-way process. The Irish Republic is sending patients to us, and we are sending patients to places such as Our Lady's in Crumlin. I welcome this. It is full steam ahead. To be honest, I could not go back to Londonderry having not made that announcement — I think that I would have been hounded out of the city. When I go back this week, I think that it will be a very welcome process. I really look forward to the cutting of the ribbon for this wonderful facility and hope that I am still in office for that.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an méid a dúirt sé go nuige seo. Cuirim fáilte roimhe chuig an chéad Tráth na gCeisteanna seo aige. I thank the Minister for his answers and welcome him to his first Question Time. In light of what has been said, what is his assessment in economic and health terms of formally establishing a cancer centre of excellence here in Northern Ireland?

Mr Wells: As I said earlier, the outstanding work at our centre in Belfast City Hospital has led to huge changes in survival rates. I am glad that he did not ask me to answer in Irish; the only Irish I have is Bord na Móna. Therefore, I will answer entirely in English.

We have achieved so much already using the resources that we have: we have managed to attract from throughout the world some of the top consultants and experts in the field; Queen's University is a world leader in research and development in the field; and we have some top PhD students doing tremendous work. Where we are is not perfect, but it is a long way from where we were before we opened the centre. We are making progress, but we have to be cognisant of the fact that people get terribly bad news, so it is not all plain sailing. Unfortunately, some people have to face the ultimate reality.

I pay tribute to the four Members who contracted cancer and had the courage to go public and tell of their journey: Jimmy Spratt, Paula Bradley, Oliver McMullan from East Antrim and Seán Rogers. They have come forward, explained their journey and shown that there is hope. I hope that we can give them all a 30-year contract, review their situation at the end of that and that they will be with us for many years.

Mr Elliott: I thank the Minister for that. I also congratulate him and welcome him to the post of Health Minister. Do any statistics show a higher incidence of cancer in some parts of Northern Ireland than in others?

3.00 pm

Mr Wells: I know that MLA McCarthy and several others who represent east Down have indicated their concern about the presence of Sellafield and clusters of cancer that, they believe, have arisen from that installation. I have to say that the statistics do not really bear that out. The MP for South Down, Ms Ritchie, and her predecessor, the late Eddie McGrady, have also asked parliamentary questions about that. The statistics seem to show that the incidence is no different from that in other parts of the United Kingdom or the rest of Northern Ireland, and that it relates to other factors, such as lifestyle choices, with smoking, and so on, being the main determinant of cancer. We watch those statistics with extreme interest, but, as things stand at the moment, we cannot be definitive in that respect.

Of course, there is the underlying geology of places such as south Down, where radon gas is a problem, but that is well known. We do not yet know about man-made influences, but the truth is that the quick hit — the low-hanging fruit — in Northern Ireland to stop cancer in many cases is to stop smoking. We lose about 800 people a year to lung cancer in Northern Ireland. Some 85% to 90% of those are people who were smokers, and many of the rest were exposed to passive smoking. That is how we save lives, and that could be done at minimal expense.

I had a friend in Downpatrick who recently died from lung cancer. I saw what that lady went through in the last six months of her life. She admitted that her heavy smoking had caused that terrible illness. We need to concentrate on that rather than on studies that, frankly, do not show a positive or negative correlation either way.

Ulster Hospital: Pressures

3. **Mr Cree** asked the Minister of Health, Social Services and Public Safety for his assessment of the pressures at the Ulster Hospital. *(AQO 6809/11-15)*

Mr Wells: Since 2011, the Ulster Hospital has seen an increase in emergency department attendances and emergency admissions, again confirming my earlier point. The South Eastern Trust has advised that admission rates in the current year to date represent a 2·7% increase on the same period in 2013-14. There has been an improvement in the trust's performance against the 12-hour emergency department target for 2013-14, with 1,092 patients waiting longer than 12 hours, which is almost half the equivalent number for 2012-13. Performance against the four-hour target fell slightly to 70·5%, compared with 73·1% in 2012-13.

It is unacceptable to me that anyone should have to wait unduly at A&E. Whilst 12-hour waits have not yet been eliminated, there is evidence that progress is being made. The number of 12-hour waits has reduced significantly, with only 46 people waiting longer than 12 hours in the first four months of the current year, 2014-15. The percentage seen within four hours has also improved, with an average of 76% in the first four months of 2014-15. I am looking to the Health and Social Care Board, working with the trust, to ensure that progress in delivery against those agreed standards continues. I congratulate and thank the staff of the Ulster Hospital for tackling the issue and making solid progress.

Mr Cree: I thank the Minister for that information. It is very helpful. Minister, can you tell us approximately how many serious adverse incidents (SAIs), as they are referred to, there have been in the Ulster Hospital over the last number of years? Can you give us a commitment that, when you get questions for written answer on the matter, we will get a prompt reply, rather than the Department stalling and thinking up reasons to prevent it answering those questions quickly?

Mr Wells: I am aware of concerns expressed by the Member and others representing Strangford and North Down that SAIs are collected at trust level and not by individual hospitals. There is a question for written answer before me at the moment, and I have turned that around immediately. It has ruined several Saturday nights for me having to answer those questions from the Member and many others. I understand where the problem arises, but the difficulty is that, if there are fewer than five serious adverse incidents, you run the risk of revealing the identity and personal circumstances of the individuals concerned.

I must say that I thought the Member raises a valid point. I am going to go back to the officials, because doing it for the South Eastern Trust would indicate that it could be in Downe Hospital, Lagan Valley Hospital or the Ulster Hospital, and that is not the level of information that he expects. That seems to be why he is not getting the specific information that he requires. I am going to have a look at that, because I think that he has made a valid point.

Mr Dunne: I thank our new Minister for his very intensive answers today. Can he give us an update on the ongoing capital scheme at the Ulster Hospital, which will, I understand, include a new A&E unit?

Mr Wells: I know that the honourable Member for North Down lobbied my predecessor very heavily on that particular issue. He is very much a defender of the Ulster Hospital. I have no doubt that will continue.

Work on the first phase of the latest redevelopment programme is ongoing and will provide a new £115 million generic ward block at the Ulster Hospital. That new ward block is due to be completed in late 2016 and open to patients in early 2017. We will make certain he gets an invite to that opening. It will provide 288 beds, comprising 12 inpatient generic wards, surgical and medical, each with 24 en-suite bedrooms. There will also be day surgery, endoscopy, and four day surgery and three day endoscopy theatres, pharmacy and support services.

The second phase of the redevelopment programme will see the construction of a new £108 million acute services block. Enabling works started in August 2014, with construction due to start on site in autumn 2015 and scheduled to be open to patients in early 2018. The new acute services block will provide 150 beds, including acute observation assessment beds, an acute assessment unit, acute wards, an emergency department, imaging, new emergency parking, and kitchen, dining and support services.

I hope, Mr Dunne, that indicates a huge commitment by the Department to the people of North Down and Strangford. Despite very difficult financial circumstances, the capital budget has ensured that the people of North Down and Strangford are very well catered for at the Ulster Hospital.

Mr Rogers: As a South Down colleague, I welcome the Minister to his first Question Time.

Minister, in terms of the pressures on services at the Ulster Hospital, do you believe that enhanced GP services and opening more beds at Downe Hospital would help to alleviate some of those pressures?

Mr Wells: The honourable Member for South Down has sat with me, when I have been wearing my other hat, in many meetings on that issue. He is aware that the problem at Downe Hospital is not one of resources; the problem is attracting middle-grade doctors to staff the hospital at particular times. All attempts by the South Eastern Trust's personnel department to get experienced doctors to apply and work at Downe Hospital have been largely unsuccessful.

Personally, I am convinced that the information that I am getting on this from the chief executive of the South Eastern Trust is correct. I have been shown just how few people are applying. I know that I got myself into very serious trouble by saying this to a packed public meeting in St Patrick's Grammar School about a year ago, but I am still convinced that, in the absence of middle-grade doctors, we cannot continue to treat patients. Technically, it is illegal. We cannot do it. Therefore, until we solve that problem, we will have to divert patients to the Ulster Hospital, with all the difficulties that causes. It is not a lack of will by the board or the Department to ensure that those staff are attracted.

Integrated Care Partnerships

4. **Mr Craig** asked the Minister of Health, Social Services and Public Safety for an update on the progress being made on integrated care partnerships. *(AQO 6810/11-15)*

Mr Wells: Integrated care partnerships (ICPs) work as multi-sector collaborative networks of health and social care providers that come together to respond innovatively

to the assessed care needs of local communities. The initial focus of the 17 integrated care partnerships, which were established in September 2013, is on the frail elderly and aspects of long-term conditions, namely, diabetes, stroke care and respiratory conditions.

ICPs have been engaged in reviewing care pathways in their respective local areas and have identified opportunities to enhance service provision for citizens of Northern Ireland. Examples include provision of specialist information to GP practices on care for patients with long-term conditions; increasing provision of structured education programmes for patients with type-2 diabetes; development of an integrated role for third sector organisations in supporting older people in the community; and collaboration with the Northern Ireland Ambulance Service on its approach to handling emergency calls concerning diabetic cases.

I welcome the contribution of all the health and social care providers who are participating in this work to improve the integration of care for patients and service users.

Mr Craig: I thank the Minister for that comprehensive answer and wish him all the best in his new job. I hope that he works every bit as hard as his predecessor. If he does, he will have very little time on his hands.

I note that you mentioned the Northern Ireland Ambulance Service. Are you convinced or content that enough work has been done to give the necessary medical information on a patient? Have they enough access to that information when they are called out? A certain level of care is needed for specific conditions that, sometimes, the Ambulance Service is not fully aware of.

Mr Wells: It is a very interesting point that the honourable Member for Lagan Valley has raised and one that, in my five years, two months and six days on the Health Committee, I have not heard mentioned before. I suggest that the best way forward on this is that, if he has specific concerns, he contacts my diary secretary and we meet to discuss the issue.

It is absolutely vital that Ambulance Service staff have the full information available. As I mentioned earlier, those staff are under incredible pressure, with an increase of 5% per annum. However, it is important that, when collecting a patient, they have the full information required to deal with that patient. Remember, those men and women deal with some of the most horrific and difficult circumstances that any of us could ever face. We need to make certain that, in an emergency, they have the full information. I would welcome the opportunity to discuss that with the Member.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. I am not going to ask him to respond about Bord na Móna. *[Laughter.]* What impact has the failure to implement Transforming Your Care had on the integrated care partnerships?

Mr Wells: I think that the honourable Member for Mid Ulster has got it totally wrong. I am committed to Transforming Your Care (TYC), as indeed were the majority of the Assembly, including himself, when it was discussed on numerous occasions.

John Compton's analysis is accurate. It is proving difficult in the present financial situation to deliver all that we want to as quickly as possible. However, Compton said that, if we do not change the way that we do things, by 2020, we will not be able to afford an adequate health service. Far too many people are too far up the ladder of health-care provision in Northern Ireland. We need to give them support so that people are treated at the right level, commensurate with their needs. The partnerships are continuing. It is going to take three to five years to complete, and that remains our ambition. However, the financial pressures that we face today were not evident when TYC was published. We have to be mindful of the potential impact that that could have on the scope and scale of change that may be possible.

We are going through the very difficult transition period between the publication of 'Transforming Your Care' and its final fruition. The difficulty is that, while that is going on, demand continues to rise, and budgets continue to be flatlined or go down in real terms. That is a challenge. I talked this morning about paediatric congenital heart disease being in my top five. This is also in my top five of issues that we are going to have to deal with.

The good news is that I ate, slept and drank Transforming Your Care, because it came in during my time as Chair of the Committee. I have had many meetings with John Compton, Fionnuala McAndrew and other senior staff about it and expect that there will be many more to come. We will continue to give it absolute priority.

GPs: Seven-day Access

5. **Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, given the recent proposal in England, is he working towards seven-day patient access to GPs. *(AQO 6811/11-15)*

Mr Wells: I thank the honourable Member for the question. It is very appropriate and timely.

Currently, all patients across Northern Ireland have access to GPs during working hours, which are defined as 8.00 am to 6.30 pm, five days a week. That is supplemented by access seven days a week to the GP out-of-hours service. I am keen to explore how greater flexibility can be provided for patients to access GP surgeries. I already have written to Dr Tom Black and arranged a meeting with him on 23 October to explore this and other issues. Mr Tom Black, of course, is chair of the BMA's Northern Ireland General Practitioners Committee. However, any final decision would have to take account of the significant workforce and financial implications it would give rise to and the consequential additional pressures it would place on the health service budget.

Mr Deputy Speaker (Mr Dallat): Time for listed questions is up. We now move on to topical questions. Mr Paul Givan is not in his place. I call Mrs Brenda Hale.

3.15 pm

Ebola: Northern Ireland Preparations

T2. **Mrs Hale** asked the Minister of Health, Social Services and Public Safety what preparations are being made to deal with the possibility of Ebola cases in Northern Ireland. *(AQT 1612/11-15)*

Mrs Hale: I congratulate the Minister on his well-deserved elevation.

Mr Wells: Again, that is a very timely and topical question, and I thank the honourable lady for that.

In order to deal with the potential importation of a case of Ebola disease in Northern Ireland, my officials have been working closely with our counterparts across the rest of the UK and the Republic of Ireland. The Public Health Agency is responsible for protecting the public from communicable diseases in Northern Ireland. The PHA has been coordinating with regional planning, in conjunction with the Department and the five trusts. The planning has included the development of patient care pathways by all trusts; preparation for the management and isolation of suspected cases; the accumulation of appropriate personal protection equipment; and the carrying out of staff training.

In addition, the Chief Medical Officer has sent five letters to the chief executives of the health and social care organisations providing information for all front line clinical staff who may be treating or admitting patients, all infection prevention and control staff, and GPs and practice staff. The letter includes flow charts for use by staff in emergency departments and by staff in primary care for dealing with patients who present with Ebola-like symptoms. The Chief Medical Officer has also written to all schools, universities and further education establishments.

It is important to note that the UK has robust systems in place for infectious disease control, including at airports and ports. Advice by the UK Border Agency has been circulated to all United Kingdom ports. In Northern Ireland, the Public Health Agency, through its health protection service, has communicated with colleagues covering all sea ports and airports in Northern Ireland, informing them of the current situation and directing them to sources of other information. In order to reduce the risk of international spread of the disease and in line with World Health Organization guidance, the affected countries have introduced exit screening at airports to ensure that individuals who are unwell do not board flights.

Mrs Hale: I thank the Minister for his very informative answer. Can he estimate how many UK health professionals are overseas caring for Ebola patients?

Mr Wells: Yesterday, I had a call from the junior Minister for health in London, and he brought me up to date with the UK-wide situation. I am sure that the Member is aware that an exercise was carried out on Friday in readiness for the potential for Ebola to arrive in the United Kingdom. We believe that there is a small number of UK health workers who are caring for Ebola patients in west Africa. Indeed, the Minister quoted a figure to me yesterday of about 600. That would indicate that between 15 and 20 of those people could be from Northern Ireland. Indeed, given the history of Northern Ireland people in helping those in need in the Third World, it might be more, but that gives you an indication of the numbers that could be involved.

In recognition that some staff may wish to volunteer to work in the affected areas, the UK Chief Medical Officer recently issued advice to health-care workers advising them to register with the UK international emergency medical register. That will enable an appropriate mix of staff to be selected and trained, with arrangements to follow up and monitor them on their return. As I have mentioned, we reckon that there are about 600 front line staff in countries like Sierra Leone, which, being part of the Commonwealth, has strong UK links.

The monitoring of this terrible disease is an absolute priority. It has killed over 4,000 people in west Africa. Whilst the ways of contamination are very specific, we have seen health-care workers, who have returned from Liberia, Sierra Leone, Nigeria and other affected areas, becoming infected. Therefore, we have to do absolutely everything to ensure that the condition does not spread; but, remember, the vast majority of people coming from west Africa come through airports in London or Dublin. That is where controls have to be effectively exercised to ensure that, when they move on to Northern Ireland, they have already been screened for the dreadful condition.

Paediatric Congenital Cardiac Services: Public Consultation

T3. **Mr G Kelly** asked the Minister of Health, Social Services and Public Safety, following his earlier statement, to outline the purpose of a public consultation if the way forward for children's heart services has already been decided. *(AQT 1613/11-15)*

Mr Wells: The honourable Member for North Belfast has vast experience of the Court Service, and he will understand that, when any consultation is carried out —

Mr G Kelly: I have never been held in such esteem.

Mr Wells: I think that he is a world authority on court services, and he is not a barrister. With any consultation, in order to do things legally, you have to have a period when people can reflect.

I have published on the Department's website this morning the full, unabridged report; it is all there. I have read it, my officials have read it and we believe that what it recommends is the best way forward for very critically ill children. However, there may be some important observation during the consultation; we do not know. Legally, we are duty-bound, but we can, of course, make preparations during the consultation period. Then, if the consultation comes back giving it a full bill of health, we can move on.

I remain open-minded. I have to say, Mr Kelly, that my priority is how we deal with some of the terribly ill children whom I have seen over the last three or four weeks. It has broken my heart to sit in rooms and see how ill those children are. I have no party political baggage in this; I will do what is best for those children. If the best place for those children to be treated is Dublin, so be it. There can be no boundaries or difficulties with that. We owe it to the children. They should go to Birmingham or London if needs be. Equally, there will be people in the Irish Republic with other conditions for whom the best care in is here. That is sensible cooperation between two self-governing jurisdictions.

Mr G Kelly: Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answer. Of course, I agree with him that we need the best care for the children involved. However, he will understand that people are worried, because of the transition and the passing over of services, about what services will remain in Belfast from January 2015. Can he explain that?

Mr Wells: A bit like with Transforming Your Care, we will move into a difficult transitional period between the removal of services from Belfast and a greater uptake in Dublin and then, in 18 months' time, the final service provision in Dublin under a memorandum of understanding. That has

to be watched extremely carefully. However, remember that, since January 2014, many children from Northern Ireland have already been down to Dublin for congenital heart surgery. As far as we can see, that has generally worked well. Many patients from Dublin have been sent to either Birmingham or London for surgery, so it is an almost international arrangement that we have.

I regard it as absolutely essential to watch carefully to ensure that none of the care of these very vulnerable children is remotely affected for these 18 months. I want to make it clear that Belfast will still be a centre of excellence for cardiology. We are not closing that down. The concern that that might happen was raised during the consultation period. However, I am left with four independent reports that all tell me that the option of Our Lady's in Dublin is the only way forward. I would be negligent to ignore that.

GP Workforce

T4. **Mr McNarry** asked the Minister of Health, Social Services and Public Safety, apropos his earlier answer to Mrs Cochrane, to explain his plans to manage the ageing GP workforce, with 25% likely to retire in the next few years. *(AQT 1614/11-15)*

Mr Wells: The honourable Member for Strangford asks a very apposite, topical question. I had dinner on Friday night with the leader of a GP surgery in the East Londonderry constituency, and he made exactly the same point. The sad thing is that the GP route is not seen as an attractive one for young local doctors. Many of them want to be consultants. Many of them want to have career progression at the A&E or hospital level. Nothing surprises me now, but I have seen consultants who look like my grandson. They are so young that it is absolutely unbelievable. People are becoming consultants at 30, 33 or 35. That is very attractive, but, meanwhile, GP surgeries tell me that they are having great difficulty attracting the same young doctors to work for them.

What I can tell you is that the Department is carrying out a review of the medical workforce to look at issues like that. Undoubtedly, the shortage of candidates presenting themselves for GP cover will be an absolute priority and something that we will have to deal with at university level. On top of that, of course, many of the potential GPs are not here but on Bondi Beach. We lose 50 trained doctors a year to Australia, where the salary and the conditions are much more attractive. That has a profound impact on the pool of experienced medical graduates as well. The Member is pushing at an open door, and it will have to be dealt with as soon as possible.

Mr McNarry: I hope that we can walk through the door together, Minister. Having heard what you have said — I appreciate what you have said — I need to ask you this: what steps will you take to prevent the closures that are likely to happen due to the fact that we do not have GPs?

Mr Wells: Whilst I accept that GPs are under incredible pressure and the statistics that they have provided me with show an escalating number of patients, remember that Northern Ireland's population is now 1·826 million. That alone puts pressure on doctors. There is no indication of any closures, but, without doubt, there is an indication of very hard-pressed staff. At hospital level, of course, we have had to curtail hours in places such as Downe and Lagan Valley because we could not get the middle-grade doctors. The Member is right to flag this up. We will have problems here, and that is why the review is so timely. We are looking at an intensive study of our workforce to identify where we will get GPs in the future. As I go round surgeries throughout Northern Ireland, unfortunately I see that many GPs look my age. That is worrying. In surgeries, I would like to see spring chickens rather than old roosters, as it were, who are about to retire and, indeed, have made the point that, if they were given an appropriate package, they would go in the morning. That attitude worries me. When you go to hospitals, you see far more young doctors who are keen to advance their career.

Hospitals: Cancelled Operations

T5. **Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether he is totally embarrassed by the figures quoted in last night's 'Belfast Telegraph', which stated that hospitals have been forced to cancel 9,778 operations at the last minute. *(AQT 1615/11-15)*

Mr Wells: I read that front-page article in the 'Belfast Telegraph' last night. It is a worry. I would like to dig down to see where exactly those figures came from. Presumably, they came from a freedom of information (FOI) request by the appropriate journalist. There are, often, reasons for this. There can be staff illness, a lack of backup or problems with some of our consultants who are flying in from other places to do the work. I do not know what the cause is. However, we will investigate that story and find out what is happening and come back to him on it. I know that my life will not be worth living if I do not answer his question; he is a bit of a terrier on this type of issue. He is right to raise it, but the first indication that I had of that story was when I opened the newspaper at about 1·00 am.

Mr McCarthy: You certainly were not concentrating on your reading at 1·00 am. If you had been, you would have seen that a shortage of beds resulted in no operation for 1,734 patients, broken equipment in hospitals resulted in no operation for 593 patients and — here we go — staff shortages resulted in no operation for 1,570 patients. Surely, that is contributing to enormous stress on our patients I acknowledge what the Minister has said, but —

Mr Deputy Speaker (Mr Dallat): Sorry. I remind the Member that this is Question Time in the Northern Ireland Assembly, not Saturday morning in Hyde Park Corner.

Mr McCarthy: I implore the Minister to find out and go over the reasons for operations not being performed, because they are in the hospital setting.

Mr Wells: The Member will accept that, despite the enormous difficulties of the recession, the previous Minister invested in 500 more full-time nurses and a 15% increase in consultants and that we are about to appoint 61 new health visitors. The doom and gloom that his party and the Members to my right painted have not come true.

I go back to my early point. We have had a very large increase in demand and a finite supply of experienced staff and facilities. Often, that can lead to a situation where a bed is not available. In an emergency you tend to have to use a bed rather than use it for an elective procedure. The other problem, of course, is that we no longer use the route of the private sector to relieve waiting lists. That is a huge concern for me. So many people were expecting to

go to places such as the North West clinic and Kingsbridge for surgical procedure, but that is no longer available because of financial constraints. We are in great difficulty, financially, in health. We still need an extra £70 million. I understand that very little is coming through the pipeline in monitoring rounds, so we have difficult decisions to take, and there will be complaints about those decisions and what affects people. Worrying about that is probably what keeps me awake at 1.00 am. If I had an extra £71 million, I would be sleeping very soundly.

Mr Deputy Speaker (Mr Dallat): With enough to do, I can get Mr Ross in for a question.

Speak Up, Save a Life: Organ Donation

T6. **Mr Ross** asked the Minister of Health, Social Services and Public Safety for an update on the Speak Up, Save a Life campaign. *(AQT 1616/11-15)*

3.30 pm

Mr Wells: The PHA, as you know, has been organising and running the Speak Up and Save a Life campaign for organ donation, and that has encouraged people to talk to their family and friends about their organ donation wishes. The moment that I was appointed Chair of the Health Committee, I immediately registered my organs for donation. They should be good, because there is not a hint of alcohol in any of them, so they are good quality organs. I also did it because a certain radio show that begins at 9.00 am on a Monday and ends at 10.30 am and which will remain nameless would have asked me that question.

This campaign has included the development and production of two TV adverts; two radio advertisements; outdoor posters, which I am sure that we have all seen; online advertisements; Northern Ireland-branded organ donation leaflets and posters; and, of course, an information website. The initial phase of the media campaign ran from 12 February until 31 March 2014. The second phase of the campaign began on 1 June and will run to the end of this month.

The impact so far has been significant. I know that the honourable Member is taking an interest in this. Since the campaign was launched, there have been 23,148 visits to the website. Before the campaign started, there had been 20,826 new registrants on the organ donor register. That is 598,000 in total. A report that we received on 30 September shows that there have been 2,363 new registrants on the register through the Northern Ireland website. So, this is good news.

What we really hope will happen is that people like me will voluntarily put their name on the register and that we will have sufficient organs to ensure that everyone is covered and that there is no need for any further legislation. This is the commitment of the previous Minister to try to deliver that, and well done to the 2,363 people who have newly registered. They could save somebody's life some day, and they have to be applauded for that.

Mr Deputy Speaker (Mr Dallat): Order. Time is up. Before we return to the debate on accelerated passage, I invite the House to take ease while we change at the Table.

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

Executive Committee Business

Education Bill: Accelerated Passage

Debate resumed on motion:

> *That the Education Bill proceed under the accelerated passage procedure. — [Mr O'Dowd (The Minister of Education).]*

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis na Comhaltaí as a bheith páirteach sa díospóireacht seo inniu. Aithním, leis an iarratas seo le haghaidh pasáiste luathaithe, go bhfuil gá lena mhíniú ina iomláine agus go bhfuil deis againn é a phlé mar is ceart, sa dóigh is go bhfuil Comhaltaí sásta leis an riachtanas agus lena chinntiú nach iarracht é grinnscrúdú cuí an Tionóil a sheachaint.

I thank Members for their participation in this debate. I recognise that my request for accelerated passage needs to be fully explained and properly debated so that Members are satisfied of its necessity and reassured that this is not an attempt to avoid proper scrutiny by the Assembly.

I trust that Members now understand the importance of accelerated passage to this Education Bill and accept, in the circumstances, the need to ensure that from, 1 April 2015, we have an education administration system that has a secure legal basis in which to operate and deliver high quality education services to our children. So it is right that we take the time we need to debate, challenge and discuss.

I welcome the interest that has been shown on all sides of the House, and I thank those Members who contributed. Many specific points were raised, and I shall address as many of them as possible. I shall, of course, write to Members on any issues that I am unable to cover now.

First, I assure the Chair of the Education Committee that it is my intention to keep the Committee fully informed of the progress on the Education Authority. I have instructed my officials to provide the Committee with regular updates. At the earliest opportunity, I intend sharing with the Committee the full business case, including the proposed structure of the Education Authority. I assure the Chair of the Committee that at no stage have I ever thought that the Committee will ignore this Bill, and, in fact, I have no doubt that the Committee will carry out its role to full completeness. As I said, I have instructed my Departmental officials to fully cooperate with the Committee. I also reassure her of a speedy turnaround on Committee questions and requests to me and my Department.

A number of other Members made contributions in relation to the reasons, or lack of reasons, for the accelerated passage of the Bill. I fully understand Members' concerns. It is not a decision that I have taken lightly, and I do not believe that the Assembly should take lightly any decision to approve accelerated passage for any Bill. However, in this case, time has caught up with us for whatever reason. Members can spend their time pointing fingers at each other across the Chamber, at the Executive and at whichever political party it suits you to point your finger at, but there has been a collective failure by all parties in the House to agree to ESA and to bring forward a Bill, or

amendments to a Bill, that are acceptable to all Members of the House. Some parties have made it their intention to actively lobby against any ESA Bill in the House.

Mr Kinahan asked me who I have consulted with in relation to the new Bill. Not necessarily in relation to the new Bill, but I have spent the last two years involved in various engagements with political parties, stakeholders, interested parties, individuals and collectives on how we move the education administration forward in this society. There are many different views out there, but what was central to the vast majority of those discussions was that people wanted certainty and wanted to be assured that we would have an administration in place that would steer a steady course and ensure that staff morale is raised and that staff know exactly what their destiny will be and what their roles will be. I believe that this Bill allows for that.

I want to correct a number of assertions made by Mr Kinahan, because I think that it is important, in these matters, for the public record to be correct. First, while the Executive meetings remain confidential, I do not think that I am breaching confidence when I say that, on 25 September, there were no recorded objections to accelerated passage from any member of the Executive. Mr Kinahan also suggests — I accept that he may have been paraphrasing — that I suggested at the Education Committee that there was agreement on ESA. If there was agreement on ESA, I would not be standing here. The ESA Bill would have passed, we would have moved on and we would all be much happier for it. What I did say at the Education Committee, in a response to a question from Mr Lunn, was:

> *"No. Rightly or wrongly, I believe that we had broad agreement on the proposal in the previous ESA Bill as to how we would construct a new board. It came about from the heads of agreement that were published, I believe, in November 2011."*

Maybe I have not checked the minutes properly, but that is the only occasion when I refer to the use of the word "agreement" in relation to ESA. I did not say that ESA was agreed. I said that the proposals in and around how we construct the board were broadly agreed. It is important that the public record has the proper minutes in relation to that matter.

Members raised other concerns about why we have reached this stage and why the Bill has not been approved before now. Mr Kinahan asked why we have one authority instead of three authorities etc. All those matters were widely discussed and debated in my time in the Education Committee and beyond and again by various political parties, interested parties and sectoral support groups, but at no time has anybody come forward with a firm proposal on a three-board model. At no time has anyone come forward with a firm proposal on an alternative model to ESA.

I have brought forward a single authority because I believe that it is the path of least resistance. I believe that it is a path that will allow us to bring certainty to our education system and our education administration, and I believe that no one loses. Most importantly, no one loses in terms of educational delivery. No one loses within the boards, no one loses on services to schools, our pupils do not lose out on support services and the political parties are not seen to lose face over the positions that they hold around administration in education, and they are quite right to hold very different opinions on all those matters.

The proposal that we have before us today is a compromise on everyone's behalf. We are often lambasted in the House for not compromising. The Executive are often lambasted for not compromising. The proposal before us is a compromise. It allows us to move forward with certainty on education. I would much prefer if we were debating it for longer; the Committee Stage is important for any Bill. However, time has caught up with us.

I believe that I have set out sound reasons for seeking accelerated passage. I believe that the length of time that we have debated education over several years has allowed the education bodies to be examined from all angles. This is a structural change to education. The services being delivered by the authority will be the same as the boards'. I have outlined where there are minor changes in terms of the board — the appointment of the chair and the teachers committee. Those are laid out in six simple clauses in relation to the structure of education. The services delivered by the boards will not change in any way under the new Bill.

I recommend that the Assembly accepts accelerated passage in acknowledgement of the fact that I have not brought this proposal forward in any way to dismiss the role of the Assembly and the Committee. That remains vital. However, I believe that the urgency involved in bringing the Bill to reality outweighs the concerns expressed thus far.

Mr Deputy Speaker (Mr Beggs): Before I proceed to the Question, I remind Members that the motion requires cross-community support.

Question put.

The Assembly divided:

Ayes 73; Noes 14.

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Ms J McCann, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, 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, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Other

Mrs Cochrane, Dr Farry, Mr Ford, Mr Lunn, Mr McCarthy.

Tellers for the Ayes: Mr Hazzard and Mr Sheehan.

NOES

Unionist

Mr Allister, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Noes: Mr Kinahan and Mrs Overend.

Total Votes	*87*	*Total Ayes*	*73*	*[83.9%]*
Nationalist Votes	*35*	*Nationalist Ayes*	*35*	*[100.0%]*
Unionist Votes	*46*	*Unionist Ayes*	*33*	*[71.7%]*
Other Votes	*6*	*Other Ayes*	*5*	*[83.3%]*

Question accordingly agreed to.

Resolved (with cross-community support):

> *That the Education Bill proceed under the accelerated passage procedure.*

Education Bill: Second Stage

Mr O'Dowd (The Minister of Education): I beg to move

> *That the Second Stage of the Education Bill [NIA 38/11-16] be agreed.*

Go raibh maith agat, a LeasCheann Comhairle. Is mian liom labhairt.

Mr Deputy Speaker (Mr Beggs): Order. I ask Members leaving the Chamber to move quietly.

Mr O'Dowd: Forálann an Bille Oideachais do bhunú comhlachta aonair a chur in ionad na cúig Bhord Oideachais agus Labharlainne agus a gcuid Coimisiún Foirne. The Education Bill provides for the establishment of a single body to replace the five education and library boards (ELBs) and their staff commission. Local government reform is the context.

Our five education and library boards are defined in the Education and Libraries Order 1986 by links to the 26 local government districts. Those 26 districts will be replaced on 1 April 2015 by a new model of 11 councils. If we do not agree and implement a new future for education administration from 1 April 2015 — or as soon as possible thereafter — the legal basis for our education and library boards' responsibilities and their governance arrangements will be significantly less secure than ever intended.

I believe that a Bill to replace our five education and library boards with a single authority is the best solution. I believe it to be the most efficient and effective way of providing administrative arrangements for education that are compatible with the new local government structures effective from 1 April 2015. A single education authority will overarch the issue of compatibility with local councils, and it will have much of the strength of the business case made for the Education and Skills Authority (ESA), which promised £185 million of savings over the next 10 years.

By contrast, a future that does not involve the complete amalgamation of the five ELBs will require increased investment, given the current depleted and unsustainable nature of the existing boards. It will also require potentially complex and contentious agreements around territory and boundaries. It will represent the costly re-entrenchment of the pre-RPA system, purely for the reasons of technical compliance with local government.

The Bill is, therefore, minimal, in the interests of securing consensus, and delivers only structural and technical change. It is a short Bill, providing for a single Education Authority (EA) that retains the responsibilities of the education and library boards as provided for in existing legislation, including employer responsibilities. Otherwise, employer responsibilities in the education system will be unchanged.

4.00 pm

The Youth Council, the Council for Catholic Maintained Schools (CCMS) and the Council for the Curriculum, Examinations and Assessment (CCEA) will be unaffected. The case for a staff commission to serve multiple ELBs does not apply, so that body will be dissolved, with its functions being absorbed by the single authority.

Alongside the Bill and its establishment of the Education Authority, I have also agreed with the Executive that, as part of the reorganisation of education administration,

my Department will fund a new organisation to provide support for controlled schools. The functions of that body, as agreed by the Executive on 9 September 2014, will include: providing a representational and advocacy role for controlled schools, including advice and support in responding to consultation exercises in respect of education policies, initiatives and schemes and in regard to relationships with the Department, the Education Authority and other Departments; working with schools within the sector to develop and maintain its collective ethos, including, where appropriate, a role in identifying, encouraging and nominating governors and ensuring that ethos is part of employment considerations; working with the Education Authority to raise educational standards; participating in the planning of the schools estate; assessing ongoing provision within the sector; participating in area-based planning coordinated by DE and the Education Authority, including membership of the Department's area planning steering group; engaging, where appropriate, in strategic planning processes, including community planning; and building cooperation and engaging with other sectors on matters of mutual interest, including the promotion of tolerance and understanding.

I turn to the content of the Bill. There are six clauses and four schedules, as follows.

Clause 1 provides for the establishment of the Education Authority and applies schedule 1, which puts in place arrangements for membership and governance of the authority, most of which are standard. The title Education Authority has been used instead of Education Board to avoid the potential for confusion throughout the education Orders due to the many references they contain to the board of governors of a school.

Clause 2 provides that the functions of the Education Authority will be the transferred functions of the education and library boards.

Clause 3 dissolves the ELBs and their staff commission and, with schedule 2, transfers their assets, liabilities and staff to the Education Authority.

Clauses 4, 5 and 6 and schedules 3 and 4 cover the usual matters of amendments, repeals, interpretation and commencement.

In only two respects does the Bill provide some element of significant change. There are two areas where simple continuation was practically not an option. The first area concerns the provisions that govern the chair and membership of the new authority. The Bill proposes that a chair be appointed by the Department of Education rather than elected by members. It also proposes that there be19 members, comprising a balance of political members linked to party strengths in the Assembly, community members and members drawn from transferors and trustees. Those arrangements differ from those that have provided for ELB chairs and members since 1986, which would not be suitably wieldy or precise when applied to a regional-level authority. Nor would they apply modern standards of governance.

Of course, the Bill retains the weighting effect of the provisions that have applied to the balance of transferors and trustee members within the ELBs since 1986: it provides for four transferors and three trustee members. Otherwise, it provides for a compact total membership of 20, inclusive of one chair, eight political members that are established by reference to party strengths in the Assembly and four community members. Those arrangements resemble the provisions agreed for ESA, which was an agreed and fit-for-purpose model for the governance of regional-level education administration.

The second area where some change has been necessary is in the teaching appointment committees. Those have operated in the five ELBs and have been directly involved in teacher appointments in controlled schools in their respective areas. The new membership provisions and the issues of scale that are presented by a regional organisation mean that those arrangements cannot continue. The Bill provides that new arrangements will be developed by the new authority in a teaching appointments scheme, which will require the approval of my Department.

That is the extent of the Bill. Despite the two necessary changes that I have summarised, the Bill is best and most accurately understood as being the minimal legislation required to create a single board in place of the five we have.

Should we return to the issue, a single authority will be consistent with, and provide a platform for, fully implementing the RPA in education.

In the meantime, the Executive have agreed to withdraw the commitment to establish the ESA from the 2011-15 Programme for Government. I shall not, therefore, move the Education Bill 2012 to the next stage.

I acknowledge that some Members may wonder why we cannot have other provisions in the Bill or why the new Education Authority cannot have wider powers, for example to promote improved standards in schools or to support professional development etc. The intention had always been that the Education Bill 2012 would have delivered such provisions and that it would have completed its passage in time for the ESA to be established long before the reform of local government in April 2015.

I proposed considerable concessions in pursuit of agreement to progress the 2012 Bill, but, regrettably, my efforts were not successful. We now face the imperative provided by the timetable for local government reform. There is no "do nothing" option in this case; we cannot continue with our current structure of education administration. The present Bill, therefore, delivers only the structural and technical change required to comply with local government reform.

There will be future opportunities to pass legislation that will further benefit and improve the education service, but to include further provisions in this Bill would risk not securing the consensus that we need to secure the immediate future of our education administration.

Molaim an Bille don Tionól. I commend the Bill to the Assembly.

Miss M McIlveen (The Chairperson of the Committee for Education): Thank you, Mr Deputy Speaker. With your permission, I will initially make a few remarks as Chairperson of the Committee for Education and then as a DUP MLA.

Two years ago, almost to the day, my predecessor, Mr Mervyn Storey, stood here and made his Second Stage speech for an Education Bill. He said at that time that it was a bit like déjà vu all over again. He was, of course,

referring to the second Education Bill in the space of around three years, and here we are again.

Last time, the Chairperson of the Education Committee picked out the many differences between the ESA 1 and ESA 2 Bills. This time, the Bill that is before us could hardly be more different from those that went before. For a start, it is considerably shorter. It simply dissolves the five education and library boards and the staff commission and replaces them with a single education authority. All duties, obligations, responsibilities, staff and assets are – if we understand correctly – to transfer from the old education and library boards to the new Education Authority.

Unlike the previous Education Bills, this Bill will not alter the employment arrangements for teaching staff, except to simply transfer those working for one of the old five ELBs to the new Education Authority. The old questions about employers, employing authorities, tribunals and agency simply do not apply to this Bill. It appears to change nothing for voluntary grammars and nothing for schools generally in respect of the vexed questions about employment and management schemes.

The Bill dissolves the ELBs and the staff commission and leaves the Council for Catholic Maintained Schools in place, together with its duties in respect of planning for the Catholic maintained education estate. As Members are aware, the Minister is to establish a controlled schools sectoral support body, which is to have a role in area planning. Members of the Committee welcome the new body and generally see this as a fairer way to plan for our schools.

That said, I expect that some Members are disappointed that the Bill does not set out and guarantee the role for this new body in statute. I think that some other Members may also be unhappy that the Bill did not simplify educational planning by dissolving the CCMS. Others may also highlight today the absence of a statutory sectoral support body for voluntary grammar schools.

Schedule 1 sets out the composition of the board of the Education Authority; this appears largely to match those arrangements in the existing ELBs. This differs a little from that proposed in the previous Bill. Members of the Committee highlighted concerns in respect of the absence of explicit or guaranteed representation for integrated, Irish-medium and voluntary grammar schools on the board of the authority. The Committee considered evidence from stakeholders suggesting representation for those groups, groups representing young people and for organisations representing business and so on.

I think that the Committee appreciates the benefit of having a small board and understands the difficulty in representing all interests.

I am sure that some Members, particularly at Consideration Stage, will want to say more about representation. In the interim, however, the majority of the Committee probably takes the view that, in the first instance, the Department should, imaginatively and in line with public appointment principles, ensure that the four community representatives are selected to ensure an appropriate and fair level of representation.

The Committee has sought further detail on how the substantial projected savings for the authority are to be realised, particularly as CCMS is to continue to exist. In his response today, perhaps the Minister will set out, at least at a high level, how savings are to be made and bureaucracy reduced through the establishment of the Education Authority. This is of particular interest, because, unlike his ESA proposals, the Committee has not seen the detailed business case for the Education Authority.

To summarise: the argument underpinning the Bill appears to be simplicity. By simply generally replicating existing ELB arrangements in the new Education Authority, it appears that the Minister hopes that this will prove to be uncontroversial and, therefore, acceptable. The Minister indicated to the Committee and has repeated today that he believes that this simple foundational Bill could be used to drive an incremental reform of educational administration. The Committee has not taken a formal view on this longer-term way forward. That said, I think that Members generally favour an incremental and agreed strategy, in contrast to what some characterised as the Department's previous all-encompassing approach to educational administration, which was doomed to failure.

In taking things forward with the Education Authority, I hope that the Minister will give thought to those uncontroversial spin-offs identified from the previous legislation — for example, the options to improve autonomy for some controlled schools to allow them to appoint their own principals and perhaps hire a bursar to improve financial performance. In the longer term, perhaps the Bill may also allow for the simplification of what is a fairly complex and much-amended body of education legislation, the idea being to allow for a higher and commensurate level of delegation to schools.

As my predecessor in the Committee also said two years ago, any education Bill is usually yet another cause for consternation for many in the education sector: principals, teachers, boards of governors and others. Whatever way this Bill progresses, on behalf of the majority of Committee members, I hope that the House's sober deliberations will provide certainty to those whom I have just mentioned and reassurance that we all have the best interests of school pupils and their parents at heart. I believe that the majority of Committee members feel that the Bill is simple and introduces very limited but important changes. The majority of Committee members, therefore, are probably just about content to support the Bill's progress to Consideration Stage.

Speaking as a DUP MLA, I want to say that this is a significantly less complicated Bill than were the two previous Bills, but it is no less significant. While the legislation does not see the establishment of an education and skills authority with broad, sweeping powers, it does see the dissolution of the five current boards and the creation of what is, essentially, a single education board. A number of issues require clarification as the Bill progresses. There is the issue of the controlled sector representative body. The announcement that there will be such a body is, of course, to be welcomed, and its establishment would merely right a wrong in education. The controlled sector has been shamefully ignored in this regard for far too long. It is to be hoped that the creation of this body will bring equality to the controlled sector, 25 years after other sectors were granted their support bodies.

I welcome the Minister's comments today about how this sector will be supported, but it must not be a toothless organisation. It must have legislative underpinning and be specifically mentioned in the Bill. It is important that

this is done, because the Minister has to appreciate that there is a lot of nervousness in the sector. It is a natural consequence of years of uncertainty hanging over education, particularly in the last seven years. The Minister previously gave a commitment that the funding of this body would be enshrined in the Bill. Again, at the Executive and in Committee, a commitment was given that there would be robust underpinning. Up to this point, the Minister has talked a good game, but we need to see that assurance on paper.

4.15 pm

We, as a party, are not looking for the creation of a statutory body. I do not believe that anyone wants yet another statutory body to be created for education in Northern Ireland. However, unless the body is placed on a robust footing, the consequence will be great distrust and unease in the controlled sector. It is essential that this sector is afforded equal treatment, which has been a recurrent theme for my party over the last seven years.

The announcement of the body was welcomed across the sector, but that welcome has waned and is turning to distrust as the perception increases that the sector is once again being treated in a somewhat inferior fashion. The integrated sector, which educates only 7% of pupils, has robust underpinning for its sectoral body under the 1989 Order. All that the controlled sector is asking for, and all that we ask for on its behalf, is equality. I would like the Minister to bring forward proposals in order to allow the controlled sector and Members to assess whether they are fit for purpose.

The Minister needs to appreciate that a failure to place this body on a footing on a par with other sectoral bodies will cause it internal difficulties. That is particularly true of recruitment, especially to senior posts. The uncertain nature of the body is not conducive to recruiting the best people for those posts.

The second key issue — the Minister is aware that I raised this with him at the Education Committee — is the appointment of the chief executive of the Education Authority. For the wider community to have confidence in the new authority, it is paramount that a clear message of independence is made. It is important that the appointment of the chief executive is an open and transparent process, and not a coronation.

The Bill provides that the first chief executive is to be appointed by the Department. The Minister has explained that the rationale for that had to do with the timescales surrounding the appointment of the board. The timescale, as we have been aware through the accelerated passage debate, is understandably tight, but the preferred option, from my perspective, is the appointment of an interim chief executive, with the final appointment being made by the board of the authority when it has been established. The recruitment processes for the appointment of the interim chief executive and the permanent appointment need to enjoy the full protection of a robust public appointments process. They must be open recruitment processes.

The Minister told the Committee that he was minded to appoint a chief executive for a set period, and then the board would make an appointment. I would like that to be reflected in the Bill. I would not like the first chief executive to end up in post for 10 or 15 years without any input from the board. I want to see the board's involvement in the process at the earliest possible opportunity.

After a number of false dawns, the disasters of the first two Bills, and the uncertainty and mistrust caused by the Department's handling of that legislation, it is important that this legislation is unambiguously fair. We also need to be assured that the Bill will deliver savings. It should not be one board run as five; there need to be meaningful savings.

I mentioned in the earlier debate that the existing ELBs have been limping along for some considerable time. The hundreds of voluntary severances, in conjunction with the vacancy controls that have been in place, have impacted dramatically on their efficiency and operability. It is important to stabilise the staffing arrangements. We are not seeing the structure or delivery mechanisms of the new organisation. It is important that what is being created is an efficient, streamlined and effective organisation that is capable of delivering savings and, most importantly, services. I would not like to think that the Minister is rushing through the legislation with no view of how the final organisation will look or be effective.

Obviously, savings are important, but this all needs to be for the greater good of education. It needs to be recognised in the House that the creation of a single authority is what the key stakeholders want and realise is required for education. The change is needed to create the mechanism that should allow the maximum amount of the budget to go directly to the education of our children. I want to ensure that that is the case. For many years, too many layers of bureaucracy ate up the budget, and that must be avoided in the new body.

I certainly hope that all parties involved in today's debate have taken the opportunity to liaise with those who matter in education. I, my predecessor, my party colleagues on the Education Committee and my wider party colleagues have all taken that opportunity. We have made an informed decision to support the principles of the Bill, and we will continue to make those informed decisions as the Bill progresses. It is not ESA or ESA lite. It is what the sector wants.

As I said in the earlier debate, that is what the DUP recognised back in 2008 when we put forward strikingly similar proposals. The former Chair of the Education Committee Mervyn Storey deserves a great deal of praise — it is not because he is sitting directly behind me — for advocating so strongly on behalf of the controlled sector during his tenure to ensure that it was treated fairly, which certainly would not have been the case under the proposed ESA. Some parties in the Chamber may lament the demise of the ESA Bills, but my party does not.

There will undoubtedly be a great deal of discussion around the Chamber about who should be represented on the board of the new authority. While I am more than content with the representation being given to the controlled sector as of right, as the make-up of the board will broadly reflect existing boards, it is difficult to dismiss out of hand the arguments in favour of the voluntary grammars having representation on the board. That is a sector that teaches 32·9% of our post-primary children and owns a huge acreage of the schools estate. For such a sector not to have a voice on the board, which will be dealing with area-planning issues, appears bizarre. I would like to hear the Minister's thoughts on that.

In all of this, when we talk at a high level about reorganisation and budget restraint, it can be too easy to forget about the staff in the existing ELBs. I pay tribute to the work that they have done in the delivery of education, particularly during the many years of uncertainty and upheaval that they have had to endure. To undertake their work in such trying circumstances is a tribute to their fortitude and diligence. Periods of change are always difficult, but in circumstances in which that change has been mishandled at a departmental level, to the extent that the boards have been chronically understaffed for so long, I think that the staff require a particular note of gratitude. Although I say "departmental level", I may want to look towards the political end of that spectrum, too.

Front line services have also been under significant pressure. Praise needs to be given to the staff and head teachers of schools across Northern Ireland at this time of transition. It has been incredibly difficult for those schools with the uncertainty that exists above them. I hope that the passage of the Bill will afford them the certainty that they crave.

Mr Storey: I thank the Member for giving way and for her — albeit ill-deserved — comments earlier. An issue arises out of this about the way in which we do policy in the Chamber and the Executive. Clearly, the vacancy control mechanism that was introduced by the previous direct rule Ministers had an intent to force through legislation that, clearly, seven years later, did not have the consensus of those whom we endeavour to serve. Rather than Departments setting out their stall and then trying to achieve that by vacancy control, which led to the deletion and delineation of services in the education and library boards, there should have been a more pragmatic view taken as to how policy, practice and deliver were achieved.

Miss M McIlveen: I thank Mr Storey for his comments. I think that he will agree with me when I say that the Bill is not yet the finished article. Work will need to be done on it, but we have come a long way from the previous ESA Bills. I will support the Bill at Second Reading, but I hope to see the issues that I have raised being addressed.

I will just make a final comment about the comments that were made in the earlier debate by Mr Kinahan. I sat on the Education Committee from 2007 until last year. I have had the experience of numerous UUP education spokesmen on that Committee. I also experienced the two previous Education Bills as they came through the Committee. Nothing that I heard from any of those spokesmen ever filled me with any confidence that they actually knew what they were talking about.

Nothing I heard from that party's current spokesperson today has changed that view. The revisionist approach being taken by the UUP today is worthy of a republican historian. I may have been a politics and history teacher — Mr Agnew in the corner will be able to account for that as a former pupil — *[Interruption.]*

Mr Deputy Speaker (Mr Beggs): Order.

Miss M McIlveen: — but I do have a grasp of basic mathematics. Mr Kinahan referred earlier to a DUP/Sinn Féin carve up. Simple addition tells us that, if the DUP had been in favour of ESA, that is what we would have today. If the DUP and Sinn Féin had been on the same page on the first or even the second ESA Bill, why would we be standing here today debating a third? Unlike the current UUP spokesperson, I was on the Committee scrutinising the previous two Bills. At no stage was there anything constructive by way of proposals from that party.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Like the last Member to speak, I, too, welcome the opportunity to discuss the Education Bill in a bit more detail this afternoon following the discussion earlier regarding accelerated passage.

As I outlined this morning, the ongoing delay in establishing ESA has placed huge strain on those who work for the boards and commission. I have no doubt that today's developments will come as welcome news to those who have endeavoured for years to plug the gaps. It is only proper though that, in the debate concerning the need to build a modern, fit-for-purpose system, we recognise and acknowledge the dedication of those who have shown great commitment to improving the educational experience of learners for the best part of the last half century. This dedication has not only delivered many key services but has developed many new approaches and facilitated much improvement during a long and often arduous journey for our education system.

The Education Bill is undoubtedly a milestone on this journey. I know that some Members spoke this morning about parties surprisingly acquiescing to the demands of the Executive, but, for me, this is not the case. We have all been listening to the messages coming from the front line, our schools and the boards. The message is very clear: we need agreement and we need it now. In light of this, I welcome the clarification from the Minister on arguments that were put forward by some Members, especially around the fact that he will now give the Committee sight of business cases as soon as possible, and also the clarification that, despite protest in the Chamber this morning, the UUP did not, in fact, object to accelerated passage at the Executive. As the Member who spoke last outlined, some serious questions need to be put to the UUP.

Once again, we know what the UUP is opposed to, but we remain totally clueless as to what it is actually in favour of. We used to hear that it was in favour of a single education system, yet it opposes a streamlined single authority that would oversee such a system. Indeed, in a recent debate on pupil absenteeism, the UUP spokesperson, Danny Kinahan, called for urgent action. He said he had had enough of policies and strategies, yet when a much-needed development in education reform comes along, the UUP seeks again to stall and score points against a political rival.

I challenge the UUP to outline today what it believes in and, if it is so opposed to the process of change, to bring alternative ideas to the table, because all its efforts to outflank the DUP will ultimately fail. More depressingly, it will continue to fail the young people who rely on a fit-for-purpose education system.

The case for change in education is obvious. Our system is characterised by uneven performance with outstanding academic excellence coupled with still too many children leaving school without five good GCSEs. Tasked with modernising the administration of education here in the North, the Bill will see the replacement of an outdated administration system with one that better meets the needs of the 21st century.

At the core of that reform and indeed the Bill is the foundation of the Education Authority, which will be tasked with overseeing the establishment of a modern,

fit-for-purpose administration system. The Bill provides for the establishment of a single Education Authority at the expense of the existing five library boards and their Staff Commission. Undoubtedly, at this point in the evolution of administrative reform, the Bill provides the most efficient and effective way of providing such administrative arrangements that are compatible with the new local government structures that will take effect from 1 April 2015. As outlined by the Minister, the Bill is clearly the minimum legislation that is required to create a single board in place of the five that are currently in operation; an exercise in expediency, perhaps, but a vital change if we are to provide effective and efficient education administration in the years ahead.

As the Minister outlined today, the Bill will provide for two significant changes to administration oversight. The first relates to provisions on membership and the chair of the authority. Despite the fact that the Bill retains the weighting effect of provisions that had previously applied to the balance of transferor and trustee members since 1986, arrangements now resemble the provisions that were agreed for the ESA and reflect an agreed up-to-date model for the governance of regional-level administration.

4.30 pm

Secondly, the Bill will signal change in respect of teaching employment committees. The new membership provisions and the issues of scale that are now presented by our regional organisation mean that those arrangements can no longer continue. The Bill outlines that the authority will now develop an appointments scheme that will require departmental approval. However, that transformation, thankfully, does not represent a wild stab in the dark for our system. The authority will build on the vast work and experience of the various boards and education bodies as it drives forward to raise standards in the North.

Embedded firmly in the context of previous Bills brought forward, the 2014 Education Bill reveals a few areas of fresh thinking and demonstrates a mature flexibility in looking at solutions to issues that were previously of concern to stakeholders. In the light of that, I welcome the Minister's commitment today, and previously in Committee, around the controlled sector. I know that that brings comfort to all sides of the House. Members will no doubt talk today about the membership arrangements of the board. Again, that is an area in which we all need to be prepared to listen to the arguments put forward over the next days and weeks as we move into Consideration Stage. Sinn Féin is certainly more than willing to do so.

We must continue to push forward with determination and commitment to educational excellence. Vested interests and reactionary objections must not hide the real and present need for reform. Dogma must not stand in the way of necessary change. In driving forward with the desire for educational excellence, standing still is simply not an option. The delivery of education in the North has developed over the decades into a system designed around the needs of our schools and institutions, often at the expense of the needs of our young people. Certainly we deliver education through schools, and the needs of those schools are important, but we cannot continue to shape our education service around the needs of buildings. In the light of that, I hope that the new Education Authority can be a strategic body that drives change in the decades ahead.

I welcome the opportunity today to discuss in general terms the principles of the Bill. In the days ahead, Sinn Féin will continue to engage with interested parties as we prepare for the consideration of the Bill in finer detail.

Mr Rogers: First, I acknowledge all the people who deliver education to our young people; our teachers, our boards and everyone who makes this a better place for all our children. However, after seven years of an education system shrouded in uncertainty, the SDLP welcomes the development of the Education Authority. Young people, their parents and everyone employed in the North's education system have been subject to too many delays. After what NIPSA recently identified as almost a decade of procrastination, we are now faced with a rush to ensure that an education board is in place in time for the establishment of the new super councils.

Since the Bill for the now defunct ESA arose, the five existing education and library boards have been left in the dark. With the education and library boards set to dissolve next year, uncertainty and lack of direction has seriously affected their capacity to operate and deliver the services that they are tasked with to the highest standard possible. The ESA Bill has been abandoned after seven long years of hard work, and, as was mentioned earlier, £17 million of public money has been squandered. I find it hard to believe that, in the Minister's summing up, he talked about the ESA being a collective failure. It was very difficult for parties other than the DUP and Sinn Féin to know what exactly was going on between the Bill and heads of agreement.

Area-based planning proved contentious in the Education and Skills Authority Bill. With false starts and ambiguities surrounding the previous Bill, it would not have been right to pursue it. However, one major aspect of the EA's strategic management in upcoming years will have to be area-based planning. It is essential that the Minister gives due consideration to area-based planning and critically reassesses the 2006 Bain proposals.

The Minister said:

> *"The reason why accelerated passage is needed for this Bill is that the Executive, the Assembly and I should do all that is possible to avoid the risk of not having the Education Authority in place by 1 April 2015."*

To me, that answers Mr McCallister's question from earlier, when he said that accelerated passage should be used only in extreme circumstances.

You have to acknowledge what is happening in the education world. Our boards are depleted. They can no longer deliver high-quality teacher development and so on. They just simply have not got the resources.

Mr McCallister: Will the Member give way?

Mr Rogers: Yes, I will.

Mr McCallister: The point that I was making on accelerated passage was that we are five and a half months away from the start of April. There is time for this to go through a normal process, working closely with the Committee on its standard six-week scrutiny of the Bill. There is plenty of time to do that.

Mr Rogers: I am coming from a different place. I have been working closely with schools, and I see what is happening out there. The boards need road maps, the schools need road maps and the parents need road maps, so that we can move on and deal strategically with education in Northern Ireland.

It is because of the delays and the money wasted that it is crucial that the new board is constituted to reflect accurately our unique educational landscape. As it stands, the 60 representatives who comprise the education and library boards are to be reduced to 20. A chief executive will oversee the board, with four transferors, three trustees, eight political representatives according to d'Hondt, and four community representatives. That leaves the Northern Ireland Council for Integrated Education, Comhairle na Gaelscolaíochta and the voluntary grammars without specific representation on the new board. Instead, they will be forced to clamber for one of the four remaining places.

Mr Storey: I thank the Member for giving way. Will the Member accept the argument that, historically, those organisations have never had a place on the education and library boards? People need to understand that this is a board on the basis of the 1986 Order. The organisations that he refers to have always had advocate bodies to which they could have recourse, whereas the controlled sector was totally dependent on its place in an education and library board and was left in the wilderness and did not have that independent voice to represent its views. That is the why the wrong had to be righted.

Mr Rogers: I agree with the former Chair, now a Minister. He still has a keen interest in education. The Minister used the word "platform" on a number of occasions. This could be a platform for a future ESA. If there is going to be that platform, it is important that we have people with the right strategic view around that table. In the Minister's briefing on 30 September, he said that we could end up with a board with everyone sitting on it. That is possibly true, but a board without the guaranteed representation of the three sectors that I have mentioned, which have over 50% of our post-primary population, needs to be attended to.

On Irish-medium education, there is no legislation that currently obliges the education and library boards to adhere to the Good Friday Agreement, which outlines a duty to encourage and facilitate the development of Irish-medium education. Comhairle na Gaelscolaíochta has highlighted the deeply detrimental impact that this has had on the sector in terms of transport, area planning, support for governors etc. It was intended that ESA would have a statutory duty to encourage and facilitate the development of Irish-medium schools by engaging with the sector and giving it true regard, as outlined by article 89 and the Good Friday Agreement. There is no reason why that should not be the case with the Education Authority. The best way to fulfil that is by ensuring that the sector has input at authority level. The duties imposed on the Department under article 89 of the 1998 Order in respect of Irish-medium schools parallels that in respect of integrated schools under article 84 of the 1989 Order. The Department must facilitate Irish-medium and integrated education.

Over 40% of our children attend schools in the voluntary grammar sector. They have no input into these arrangements, and the Minister acknowledged that they did not have a lot of input into area planning. If we take another recent survey on the review of GCSEs and A levels, I do not have the statistics, but we will see that about 60% or 70% of our children who are doing A levels attend grammar schools. Should those schools not have input into the system at a strategic level as well?

Mr Agnew: Will the Member give way?

Mr Rogers: Yes, I will.

Mr Agnew: I do not necessarily disagree with him, but does the Member not accept that there is a difference in the responsibilities that the new board will have in respect of voluntary grammars? They have opted out of coming under its full remit, so there is an argument to be made about why they would have a say on responsibilities on other schools when they are not included, if the Member understands my point.

Mr Rogers: I do not know whether they have opted out or not, but I will go back to my original point: this is a strategic authority that will be the platform for the development of education in the future. All chief players should be at the table. Irish-medium, integrated and voluntary grammars need to be there as well. The Minister says that integrated and Irish-medium have a place at the area planning delivery body. However, this is delivery; it is not about the strategic future of area-based planning.

For this reason, the SDLP will table amendments to address these issues. We hope that they will ease the competition for the four community representatives and help to ensure that they accurately reflect the views of the wider community. Establishing a board that is truly representative of our education system is absolutely crucial. We simply cannot afford to waste anything like the money, time and resources that were fruitlessly spent on the ESA Bill. The Education Bill must ensure that the new authority is equipped to protect and enhance Northern Ireland's education system. This will not be possible without the relevant representation and input at strategic level on the board. The Education Authority must be constituted and supported to ensure a sustainable and efficient education system for all our young people, regardless of which sector they attend.

Mrs Overend: When considering the new Education Bill, it is worthwhile pausing for a moment to reflect on what happened to the previous attempts to reorganise education administration in Northern Ireland, namely the Education Bill introduced by Minister Ruane in 2008 and the subsequent Bill introduced by Minister O'Dowd in 2012.

The first Education Bill was introduced to the Assembly on 25 November 2008 and had 55 clauses and eight schedules. The Bill was to make provision for the dissolution of existing organisations and the transfer of duties, functions, assets, liabilities and staff from those organisations to ESA. Those organisations were the education and library boards, CCEA, the Staff Commission for Education and Library Boards and the Youth Council for Northern Ireland. The Bill also made provisions for the dissolution of CCMS and the transfer of certain duties, functions, assets, liabilities and staff to ESA. It passed its Committee Stage on 30 September 2009, some 11 months later.

The second time around, the Education Bill was introduced to the Assembly on 2 October 2012. That Bill had 69 clauses and eight schedules. The Bill was to set up ESA and replace eight existing organisations, namely the

education and library boards, the Staff Commission for Education and Library Boards, the Council for Catholic Maintained Schools and the Youth Council for Northern Ireland. It passed its Committee Stage on 8 April 2013, some six months later.

I am a new member of the Education Committee, and my first obvious question for the current Minister is this: what happened to the previous two Bills? They seem to have disappeared into the ether after Committee Stage. The Ulster Unionist Party took a negative view of both Bills, but we did not oppose just for the sake of it. We wanted to shape and improve the Bills to meet the objective of a streamlined, fit-for-purpose administrative support body for all schools. That opportunity was shot down.

There have been rumours of behind-the-scenes talks to placate various interest groups. However, while the Assembly waited patiently for the Minister to bring the legislation back to the Floor, the ESA Bill has been quietly buried. One is tempted to conclude that the impetus to short-circuit the normal legislative process by skipping the Committee Stage with a standard consultation with educationalists and others is an attempt to stop a proper post-mortem of the Education and Skills Authority. ESA was a Programme for Government commitment. At the last time of checking, the cost of the Education and Skills Authority implementation team from 2005 to the end of March 2014 was over £18 million. Given the current budgetary shambles, that must be a complete embarrassment for the current Education Minister.

The argument has been put forward that the end of the current district council boundaries and the mandate of some council nominees on education and library boards has necessitated the establishment of a single Education Authority to become operational on 1 April next year. It is argued that this deadline cannot be made with the normal Assembly scrutiny and that accelerated passage is therefore needed. However, I strongly feel that we need answers from the Minister with regard to alternative options. Two are mentioned in the explanatory notes to the Bill, but there may be others that we have not had the opportunity to discuss. While I and my party believe that there was an alternative to rushing through imperfect legislation, it seems that others are content with such action by the Education Minister. Maybe there was another back-room deal, Mr Deputy Speaker.

4.45 pm

The Education Minister appeared before the Committee two weeks ago and gave a pre-introductory briefing to the Bill. At this stage, I feel that a lot of questions remain unanswered.

Mr Storey: Will the Member give way?

Mrs Overend: Yes, certainly.

Mr Storey: Sometimes I question the Members in the corner. Does she really believe what she is saying? I expended many years, on behalf of my party, on this issue. The DUP has been clear all along on protecting the controlled sector and giving it its rightful place. Do you honestly believe that my party would accept a back-door deal on something on which it and I had expended well over seven years? Really, does she believe the propaganda that was written for her by the central office of the Ulster Unionist Party?

Mrs Overend: I take offence at that. I have written my own speech, thank you very much, Mr Storey. To be honest, I asked the question; you answer it.

Mr Storey: I gave you the answer: no.

Mrs Overend: I will proceed, if the Member is content. The Bill proposes the abolition of the five education and library boards and the formation of one Education Authority, with a board consisting of eight political members, four representatives from the controlled sector, three from the CCMS and four from the community at large in Northern Ireland. There was an opportunity here to ensure that all sectors in the current education make-up in Northern Ireland were represented on the body. We are disappointed that such sectors as the integrated and voluntary grammar school sectors have no input into the authority. The Minister may say that those sectors could have a place, but, in reality, they have no right to a place and may never sit on the authority.

Numerous types of people could be granted one of the four Northern Ireland community places. They could come from the voluntary grammars, others, the integrated sector or trade union backgrounds. Equally, they could be someone who previously worked in the controlled or Catholic maintained sector. What I am saying is this: there could be sectors of our education system that have no input whatsoever to the running of the authority.

Mr O'Dowd: Will the Member give way?

Mrs Overend: Go ahead.

Mr O'Dowd: A number of Members have referred to the voluntary grammar sector. The voluntary grammar sector has not approached me for a place on the board. Has it approached you for a place on the board?

Mrs Overend: I will let my colleague answer that, because I certainly believe that the sector has been talking to him. The conversation —

Mr Storey: Will the Member give way?

Mrs Overend: Not at the minute, thank you. I challenge the Minister. Conversations are two-way things. Have you spoken to the sector? Maybe the Minister will inform us —

Mr Storey: Will the Member give way on that point?

Mrs Overend: Go ahead.

Mr Storey: Maybe this is something that the Member could try to find out in discussions with the voluntary grammar sector, and maybe she can tell us when she last met the voluntary grammar sector. Would the voluntary grammars prefer to have what is known as the voluntary principle? Members who were previously on the Education Committee will know how precious that issue is to the voluntary grammar schools in the non-denominational and Catholic grammar sectors. Or would they prefer a place on a board on which they have never had a place since the inception of the education and library boards in 1972?

Mrs Overend: I thank the Member for his intervention. The reason why I want this to go to Committee and through proper consultation is so that all these discussions can be had. The Member and his party have voted against letting the Bill go to that stage.

I will proceed. Will the Minister inform us whether he gave consideration to the Drumragh judgement when drafting

the Bill and how he has incorporated that view? We know from recent 'Belfast Telegraph' surveys that the majority of people in Northern Ireland want some form of shared education, yet I see no means of furthering that aim in the Bill. Furthermore, we in the Ulster Unionist Party have serious reservations about the appointment of the chair of the authority. We would prefer that he or she be appointed by the members of the board. That has been mentioned by Members who have spoken, and I welcome that fact.

As Mr Lunn said earlier, the Bill is short and simple; he also said that it was not worth fighting for. My colleague Mr Elliott raised a very valid point in the earlier debate today. I would welcome clarification from the Minister on that. Is the Bill a stepping stone to further legislation to reform the education system in Northern Ireland?

I tried to say something earlier and am raising it maybe more appropriately now. Clause 4(3) states:

> *"The Department may by order make such supplementary, incidental, consequential or transitional provision as it considers necessary or appropriate in consequence of, or for giving full effect to, any provision made by this Act."*

Mr Hazzard: Will the Member give way?

Mrs Overend: Not just at the moment, thank you.

The clause continues:

> *"Any other order under subsection (3) is subject to negative resolution."*

I hope that the Minister will comment on any such further provisions relating to the Bill.

As I said, I am very concerned about the lack of consultation. Anyone whom I have spoken to in recent days at primary or post-primary level is unaware that the legislation is being moved through the Assembly at the moment, and it is unfortunate that there is no opportunity to debate options and the merits of each. I was also amazed to read that the Department believes that there is no need for an equality impact assessment. Surely such an authority should undergo such scrutiny.

In conclusion, questions remain unanswered. The Minister mentioned in Committee that a body would be set up to represent the concerns of the controlled sector, yet there is no mention of that in the Bill. Will consideration be given to the establishment of other sectoral bodies? No real figures are stated on the savings to be made with the establishment of the authority and to the cost of its establishment. I hope that the Minister can provide detail on that.

From the outset, the Ulster Unionist Party has accepted the need to streamline the administration of our education system, with the inevitable savings being passed on to the front line. It is, therefore, unfortunate that the Bill is not being awarded appropriate time for debate and scrutiny. It is crucial that the Bill is reflective of the opinions expressed by stakeholders. Mr Deputy Speaker, it seems that the Education Minister feels that the beauty of the Bill is in its shortness and simplicity, but you and I know that beauty is in the eye of the beholder. It has already been said that the Bill is short, but it is no less significant. The Ulster Unionist Party will table amendments and looks forward to the Minister's response.

Mr Lunn: Before I start, I want to comment on the accusation that I said that this was not worth fighting for. I did not say any such thing, and I am sure that Hansard will have reported that. I see Sandra smiling, so perhaps she realises that. What I said was that, at this stage and after seven years, some of us were getting a bit war-weary and would accept almost anything. That does not mean to say that we will not scrutinise the Bill fully and give it the attention that it deserves. That is not quite the same thing as saying that it is not worth fighting for.

It is quite refreshing to be talking in the Assembly about an education Bill, because this is the first time in seven and a half years that we have been able to do that. None of the other Bills made it to the House. Members referred to the 2008 Bill, which was in two parts. It was such an ambitious project that it had to be split, and the Assembly and the Committee were unwilling to accept the first Bill without having had sight of the second. Frankly, we thought that all the bad bits would be loaded into the second Bill.

By the time that we got a draft of the second Bill, the Assembly — in fairness, mostly the unionist side of the fence — decided that it was not worth trying to proceed with it. From memory, the draft second Bill was produced on the eve of recess, and it just drifted away. Unionists decided that it was not acceptable. It was very ambitious and was probably too ambitious at the time. As I think the Chair said, an awful lot of Committee time was spent on it. From memory, we spent about nine months in Committee scrutinising the Bill, and it was committed scrutiny. I believe that the original intention of all parties was to try to produce a final Bill that would be acceptable to the Assembly, but that just did not happen.

The 2012 Bill was a slimmed-down version, and it was mostly acceptable to me and my party.

We did not have too many issues with it, but, this time, a combination of unionism and a very vociferous grammar school campaign by the Governing Bodies Association eventually put a stop to it. It was not helped, frankly, by the heads of agreement, which the Minister referred to. There was a clear contradiction in the heads of agreement and between the heads of agreement and the Bill. The Department constantly denied that there was such a contradiction, but there was. It has been referred to recently and is a fact. That Bill was eventually withdrawn by the Minister, but not before we had to listen to nonsense such as that the ESA Bill would, allegedly, force all schools to teach Irish. That was put to me by somebody who should have known better and could not read the Queen's English. A very learned gentleman — I will not name him or say where he came from — said that ESA would put up the school wage bill by 30%. Utter nonsense, and those are only two examples, but the Bill is history now. It was not going to happen and was withdrawn by the Minister.

The next decision was earlier this year, and it was to reboot, as you put it, Minister, the education boards. Through all of this, the education boards, school employees and the whole structure soldiered on manfully. However, in terms of staff morale, vacancy control, people having to act up and others taking early redundancy, it has been a very trying time for the boards, staff and schools. I pay tribute, as others did, to the way that the people working in these situations have managed to keep the ship afloat and get us to where we are now.

Through all of this, the one common thread — the Minister referred to it — has been that the basic idea was to streamline the operation of the education system. I had never heard, until today, any objection to the principle of combining the boards into one unit. Today is the first time that I have heard that, and it is a pity, but we will now, hopefully, move towards one authority.

The Bill is before us, and the time pressures, as the Minister outlined to the Committee and today, have convinced most of us to grant it accelerated passage. That is where we are now. The only real differences are in the consultation and Committee scrutiny, but we have the opportunity here, without a time limit, to scrutinise this short Bill adequately. So, I do not think that there is any democratic deficit or whatever you call it these days. The Bill can be raked over by anybody who really wants to do that.

We, like others, have said that we have reservations about certain aspects of the Bill, and I will give you a flavour of those. The representation of political members, of which there are to be eight, conveniently excludes one of the parties in government here. I can draw a comparison with the Policing Board, which has 10 members, and the Executive, where a smaller party qualifies for a position. The educational set-up in this country is such that, quite frequently, nationalists and unionists are clearly opposed. To me, that is quite unnecessary at times, but it just the nature of things. It does not do any harm to have what I might call a moderate voice at the table as well, so we will table an amendment along those lines.

We agree with others that the integrated and Irish-medium sectors could do with proper representation. I heard Mr Storey making the point that they have never had that, but that is not a reason for not changing things. Between them, the Irish-medium and integrated sectors represent a fairly significant percentage of the school population. That should be a growing percentage, but that is for another day. It is a good opportunity and a good time to introduce proper representation on this board, so we will table amendments to tinker with the numbers. I think that we will suggest that the board end up with 22 members instead of 20.

I heard the figure of 60 mentioned in reference to the number who serve on boards at the moment. Presumably, that excludes the South Eastern Board. In my time, we have had dealings with that board, and it is the only one I know the figure for. The South Eastern Board alone had 20 members, and I imagine that the figure for the other boards was similar. Therefore, if we could scale the figure down from 80 to 20 or 22, we would not be doing too badly. I remind the Minister and others — one or two in the Chamber will remember — that, in Caitríona Ruane's time, the original proposal for the board of the first ESA was seven members. She was pretty unyielding on that point, but, through various means and discussions, we have finally got to the point at which we have been offered 19 members plus a chairman.

5.00 pm

There is a question about the voluntary grammars. We are inclined to think that, as of right, the grammar school sector needs representation and a place on the board of the authority. The question that has been put to me is whether that position should refer to voluntary grammars or just to grammars. There are plenty of controlled grammars out there, and they make the point of asking who is representing them. They have common interests with the controlled sector generally, but they also have a common interest with the voluntary grammars. If we table an amendment on that basis, it will say "grammars" rather than "voluntary grammars".

We also intend to table an amendment on behalf of, let us say, the integrated and Irish-medium sectors. The 1989 Order, as we all know, places an onus on the Department to "encourage and facilitate". I remind Members that, two or three years ago — I do not have the date to hand — the House voted to call on the Minister of Education:

> *"to actively promote a system of integrated and shared education". — [Official Report, Bound Volume 58, p92, col 2].*

That has never been enshrined in legislation, but maybe it is time. I know also that the 1989 Order refers to the boards as well as the Department, so you might say that what I am going to suggest is unnecessary, but we will probably table an amendment along the lines that the new authority should have an obligation to encourage, facilitate and promote the Irish-language and integrated sectors.

We have come a long way with this legislation. Unfortunately, it has been backward rather than forward. If you look at what was in the original ESA Bill in 2008, then look at what was taken out to produce what I thought was an acceptable Bill in 2012, which was not to be, and then look at what we are left with now, you will see that this Bill is right back to the bare bones. There is bound to be legislation that will come forward in future years to resurrect some of the very good stuff that was in both ESA Bills. Hopefully, we can at least get this Bill through. It is urgent. It is important legislation, even though it is short and simple. It is urgent, and we need to get it done.

I will conclude my remarks on that point. We will return to this at Consideration Stage.

Mr Craig: I support the Bill to create a single authority. It has been a long, long time getting to this point. In fact, it is over six years. In fact, it is so long ago that, when we first started on this journey, I recall that the honourable Member Basil McCrea was not only a member of the Ulster Unionist Party but its education spokesman. That, obviously, was a lifetime ago.

Commenting on the Bill, and on the fact that this Bill is clearly not the ESA Bill, one has to wonder why some others raised that issue. As was pointed by the Minister and the Chair, if there had been universal agreement on the ESA Bill between not only the two main parties but others, this Bill would not be before us. Common sense dictates that.

Mr McCallister: Will the Member give way?

Mr Craig: How others came to the firm conclusion that it was us and others who agreed the way forward on the ESA Bill baffles me. I will give way.

Mr McCallister: If the Member was in his place when I spoke during the debate on accelerated passage, he will know that I drew attention to the fact that an OFMDFM press release from 18 July 2012 announced agreement on about 10 areas, including the Maze and the ESA. It should not be that surprising to anyone in the House that we were under the impression that you guys had all agreed when you announced it in your own press release.

Mr Craig: I thank the honourable Member for his intervention. It was so long ago that even he was a member of the Ulster Unionist Party at that stage. Press releases — what does that actually mean? Let us be honest about it: where is the Maze and where is the ESA Bill?

Mr McCallister: You would like to do a deal —

Mr Deputy Speaker (Mr Beggs): Order.

Mr Craig: Where are a lot of the other issues out there? The simple truth is this: there never was full agreement on ESA. I recall the first ESA Bill coming to the House. I sat as a member of my party's team on it, and we tabled 40-plus amendments because of the level of disagreement. It went nowhere, and we have spent the past six years trying to cobble together something that the entire House could agree on.

I listened with bemusement to what some Ulster Unionist Members had to say on the issue. One Member asked what had happened to it, and the other Member said earlier that his party had killed it off. What is true? Did one kill it off? Was that correct, or is the other one correct to say that they do not know anything about it? Is it really, as I suspect, that they were both wrong in what they said?

Mr Lunn: Will the Member give way?

Mr Craig: The Member always gives way.

Mr Lunn: I just want to clarify things for the Member: that Bill was killed by both parties — the Ulster Unionists and the DUP. The Ulster Unionist Members were not on the Committee at that time, so their memory has gone dim, but it was as much your fault as theirs.

Mr Craig: There you are, Mr Deputy Speaker. I will take the blame on that one and happily accept it.

There is one thing that concerns me in all of this: in that intervening six-year period, approximately £17 million has been spent on the whole ESA process. I hope that the Minister will be able to elaborate on that. That involved civil servants and others in the background working on it. What I would like to know from the Minister is whether that work is transferable to the new authority or whether taxpayers' money has been completely and utterly wasted on that process. That concerns me, given where we are on the budget issue around a lot of this.

Something that I will welcome in the Bill is the fact that, for the first time in a long time — I speak as someone who is under the authority of the South Eastern Board — we will have elected representatives on the authority. I welcome that because that is a massive step forward for someone who comes from the South Eastern Board area. We have been living with commissioners for well over six years, and that has been deeply regrettable. It has led to a democratic deficit in that board area.

I formally admit that I am a member of the board of governors of Laurelhill Community College and Killowen Primary School. I welcome the fact that the authority will be set up and will bring some form of proper support to the controlled sector. For the past six to seven years, I have sat on the board of governors of those schools during that whole process and watched the level of support that boards give to schools go down and down and down every year. It becomes much more difficult for a board of governors to get assistance from those boards. I hope that that will be reversed, and not only do I hope that it will be reversed, I welcome the fact that we have promises here of a new controlled body sector. My only question is why that is not written into the Bill. I listened to the Chair speak on the issue, and I hope that amendments will be tabled on that, because that is one thing that I want to see developed for the controlled sector. I watched with interest as others who already have educational bodies that have a say on the boards, as well as their own sectoral body speaking to the Department for them, spoke. That has always had a negative impact on the controlled sector, and it is good to see that that will be redressed in the Bill.

The chief executive's position interests me, because I see in the Bill that the first chief executive will be appointed by the Minister. I question the logic behind that. What is the board being set up to do? It has employment rights: it should be appointing the chief executive. I appeal to the Minister to think about that. Should it not be an interim appointment for a set period — say, six months — while the board is set up? They can then choose for themselves who becomes the chief executive. That person will become the key individual in the authority in delivering the services on the ground.

While I am talking about the chief executive, who is to be appointed under the Bill, I question what will happen to the five existing chief executives. Will they disappear, or, as I deeply suspect, will they become another layer of the bureaucratic system in Northern Ireland? I would like to hear the Minister's views on that, because it has cost implications for all of us in the House.

I would also like the Minister to clarify what will happen to the support services in the existing five board areas when they come under this new single authority. Is the CASS support that is missing for schools at the minute going to be built up, strengthened and enhanced, or is that a matter that he will leave to the new authority? After six years of fighting, arguing, debating and disagreeing with others over the issue, I welcome the fact that here we stand today, discussing legislation that will finally move the situation forward.

Mr McCausland: I support the Education Bill. I welcome it. After 40 years of the education and library boards, it is time for change, but, up to now, there has been no agreement on what that change might be. Everyone agrees that the system should be streamlined and simplified, but there has been no agreement on how that might be done.

The imperative for change is partly that the current boards, because of the uncertainty, have, in a sense, been withering on the vine and have therefore become increasingly untenable and unsustainable. It is because of that uncertainty that people have taken the opportunity to leave and posts are not being filled. Because they have become unsustainable, it is imperative that we proceed as quickly as possible. Doing nothing is not an option, and the long saga of ESA is now over.

The Bill is a short one, and therefore it is acceptable in the circumstances that it moves forward by accelerated passage, and I will turn to that in a moment. It is not the 2012 Bill, it is not the 2008 Bill, and, as we were reminded by Mr Lunn, we will claim the credit for killing off what was bad legislation.

A number of Members pressed the point, including my colleague Michelle McIlveen and my other colleague, of the controlled sector support body.

It is important that that sector, which is at the very heart of our educational system, has the service and support of such a body. It needs to be properly grounded — that matter has been raised, and we look forward to what the Minister will say in that regard — and it needs to be adequate to meet the needs of that sector. Having served for many years on an education and library board, I know that there was always a perception that the controlled sector was somehow being treated in a second-class or inferior way and that there was not proper equality. The creation of a body to support that sector is a good step forward, but we need to get clarity on how that will be done.

5.15 pm

I noticed that Mr Lunn spoke about the responsibility for advancing and promoting certain sectors. I would have thought that, therefore, there was a responsibility to advance and promote the controlled sector within our education system. Is it not worthy of advancement? Is it not worthy of support? Are those schools not worthy of promotion? I believe in equality. Others may talk about it, but I believe in it. I think that that sector deserves the equality of having a support body that is strong and has a commitment to advancing, promoting and supporting that sector.

Mr Lunn: Will the Member give way?

Mr McCausland: Yes, I will.

Mr Lunn: I hear what Mr McCausland says about the controlled sector. I am delighted that the controlled sector will have a representative body that will be tasked to advance and promote the controlled sector as best it can. The integrated and Irish-medium sectors have had it built into legislation since 1989 that they should receive special treatment. That is based on parental demand and choice. All that we are doing is bringing that formally into the Bill and including the word “promote”, which has never been there before. We are not trying to advance integrated education at the expense of the controlled sector. They all need promotion.

Mr McCausland: I welcome the acceptance that the controlled sector should be supported and advanced. Whatever commitments there are for advancing other sectors should also be available to the controlled sector. If we believe in equality, it should be for everyone.

The other point that I want to make is about savings. It would be helpful if we had some sense of how much duplication will be addressed over the next period. Clearly, with five boards, there is duplication. Whilst it is true that places have not always been filled and there has been some depletion in staffing and, therefore, some savings have probably already been made, it would be helpful to have some clear indication of the assessment of the extent of the savings that will be made by the removal of duplication. There has been some sharing of services amongst the boards, and there was talk of extending that. However, the proposal before us for a new education authority will hopefully create greater savings.

That will mean more money for schools. I take the opportunity to say that, in a whole range of areas, we should be looking at where we can make savings to put the money down to the schools. Quite often, you get a whole plethora of ad hoc initiatives that can soak up money in administration when it should go straight to the schools. Schools should be at the forefront.

It is good that the arrangements will be taken forward incrementally. Our education system is complex, and education is a complex subject. I do not know of any other country that has as many different types of schools as we have in Northern Ireland, and there is a complex architecture. It is also a very sensitive issue. We know that only too well, and we are all aware of the lobbying and the strength and fervency of that from various sectors. It is a sensitive and complex issue, and the approach that is being taken now to merge the five boards into one through this legislation is the right way forward.

Over the last few years, the staff in the boards have worked in very difficult circumstances, and it is right that we express our appreciation for their work in spite of the uncertainty and those difficult situations. Issues still need to be addressed — this is not the final Bill, and we know that amendments will be tabled and issues will be addressed.

Mr McCallister and Mrs Overend both referred to the fact that there are five and a half months until the start of the new year. If we consider the timeline for completing the legislative process, even with accelerated passage, and look at the preparatory work that will need to be done before 1 April 2015, it may be just as well that we have a five and a half months, if that is all to be completed.

The Minister sent a letter to the Chair of the Committee, Miss McIlveen, in which he referred to a programme management board which would be established to identify and oversee key work strands. It would be interesting to hear a little bit more about the timeline for that: when will those various pieces of work be completed? Clearly there are issues around finance, dissolution and the establishment of the controlled sector support body. How are all those things going to be done in that period of five and a half months?

I am happy to support the Bill. I think that it is a good outcome in the circumstances. It is much better than and preferable to what has been previously suggested, and it is for the benefit of the system, the teachers, the children and education in Northern Ireland.

Mr Kinahan: I welcome the Bill. As I said in the debate this morning, we welcome the streamlining of the Bill. Everyone will be glad to know that we are not opposing the Bill at this stage.

I hope that the Committee takes on board the points that I made this morning. We need to get some consultation in, or have some way of finding out what the stakeholders think, over the next few weeks. We need to know the detail on the structures and the organisations, and we need to make sure that there is a proper equality impact assessment of the Bill at the right moment.

I was shocked how ready everyone was this morning to accept accelerated passage without challenging it. It is our duty in this Chamber to challenge and debate matters. I am slightly shocked by some of the comments that were made this morning by Members in attacking each other. I am very pleased with the responses that we got at the end of that debate from the Minister, and I appreciate his

promise to work with the Committee on the Bill. It was also good to hear who he had engaged with in the last two years. That is the whole point of the Assembly: to ask questions and find out.

Our Minister, and I have it from the horse's mouth, opposed accelerated passage. It may not be in the minutes, but either you were not listening or — sorry, we are not allowed to use "you". People were not listening, but I have had it from two or three sources, so I say that just to make it absolutely clear.

I suggested the three-board model because various people suggested the three-board model to me, and I think we should have been discussing it. Again, that is what we are here for. We should accept compromises, and I was glad to hear that the Minister will accept them. Some suggestions for amendments are coming through, and it is absolutely right that we raise them today and next week, and find a joint way forward.

I am appalled by the rather disgraceful personal comments from the Chair of the Committee. I will not stoop so low. The proof is in the pudding, if you read the writing throughout the last few years. I will leave it at that.

The three issues that I want to deal with today are the selection of the chair, the make-up the board and the need for a review clause.

As far as the selection of the chair goes, I understand that the Bill says that the chair will be appointed by the Department, but will that competition be open to everyone? Will it follow proper Government guidelines and be an open and transparent process? Other Members have raised that matter today. What qualifications does the Minister want that chair, or the chief executive, to have? In his brief to the Committee, the Minister indicated that the chair will initially be appointed as an interim measure and, as the Chair of the Committee said, we want to make sure that that interim is not five or 10 years. Will the Minister clarify how long he sees that provision being in place?

Let us move on. We talk about the 12; if the Minister is not going to appoint the chair, then the number of places on the committee is 12, not 11. Will the Minister clarify whether he would make that the case if we agree?

Mr Hazzard: I thank the Member for giving way. The Member's colleague stated that she would support the right of the integrated sector and the voluntary grammars to have membership. Does the Ulster Unionist Party also accept the right of the Irish-medium sector to be on the board?

Mr Kinahan: Thank you very much. You will hear me address that further on in my speech, but the answer is yes.

Given that we have one board, if the Bill goes all the way, there will be no comparisons between boards; that makes it even more important that the Department does not appoint the chair. You already have the other controls, so let the board appoint its own chair.

Moving on to the make-up of the board, we accept the political appointments but feel that we should not prevent practising educationalists from being appointed to it. In the previous Bill that was the case, so maybe the Minister will look at varying the guidelines so that we can get people who are working in the system onto the board.

If we consider this piece of legislation not to be an interim measure and accept that there will be an impasse and lack of action into the future, we need to think through what will happen to it in the long term. We seem to agree on the future being shared education, even though we all seem to have completely different ideas on it and very different intentions of how to put it in place. The Ulster Unionist Party wants to see it happen, and the present sharing out of the 11 posts gives CCMS and the controlled sector most of the say: it does not include the integrated, voluntary or Irish sectors. In the Committee briefing the Minister indicated that a controlled sector body would be set up. Will the Minister promise that that will be the case? Will it definitely be funded and set up? If so, by when?

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

Given that we will have a sectoral body for the controlled sector and that we still have the CCMS, will the board be deemed to be unfair if it does not have members from the Governing Bodies Association and the other sectors? It would seem so. We want to work for the future and make sure that we have a board that represents everybody. We need to have voluntary sector representation. I did speak to the voluntary sector, for those who were querying whether I did or not, last night; I also spoke to them as soon as we knew that the Bill was coming up to find out their views. It is the job of all of us to talk to various people, and I expect everyone else to do the same. They would like positions on the board, and maybe, as others have said, the Minister should talk to them rather than wait for them to come to him.

According to the student numbers that I was given for 2013-14, you have 118,000 in controlled, 117,000 in maintained, 21,000 in integrated and 47,000 in voluntary. That indicates that we need to give all the sectors their share.

We in the Ulster Unionist Party intend to bring forward amendments, although it would be wise to talk to the other parties, as we all have different ways of taking this forward.

Lastly, I want to raise the need for a review clause. If the Bill remains in place for a long time, we need to put a review clause in place with regard to the membership of the committee. It might be, depending on what happens at the end of the week or in meetings in future, that we need to change the number of political appointees. However, that is not what I am concentrating on now: we need to put something in place that looks at the proportions of pupils in types of schools so that if, in 10 years, the integrated sector's proportion has doubled, we should consider doubling its representation on the committee. We need to find a formula and find a way forward. That would be the right thing to do.

I was very pleased to hear the Chair of the Committee praising the whole of the education sector and all its hard work. It is absolutely right that we all praise the sector: we put them through a hard time. We all have our strong beliefs.

We support what is happening today, and we wait to see what the amendments bring next week.

Mr Newton: This is a relatively short Bill: short but nonetheless important. The Bill indicates that this is a good day for Northern Ireland, its education system and the pupils who ultimately benefit from it. It has taken us a long time to get here, and it has been a difficult passage.

Even though I was not on the Education Committee for all the time during which ESA was being discussed, I could not help but be involved in ESA and the concerns that were expressed. The Bill was controversial and was debated on a number of occasions. It was much criticised and pored over, line by line and word by word. There was much anxiety about the Bill, certainly on this side of the Chamber, but it was not seen as being a practical solution to where we wanted to be in education.

5.30 pm

We have moved on considerably. The word "dissolution" is used in the Bill, and maybe that is for technical or legal reasons. "Amalgamation" sounds much friendlier to me. The Bill refers to the "dissolution" of the education and library boards and the creation, via the Education Bill, of an Education Authority.

There are those of us who definitely welcome the board for controlled schools, which we see as a positive step in the right direction. Over the years, the controlled sector has been treated rather shabbily, and, unlike some sectors, has not been seen as having a privileged position. The Bill needs to bring equality into the education system, and that board needs authority and responsibility to be brought to it.

On a number of occasions, I raised my concerns with the Minister about the two boards that impact me directly. Mr Craig referred to the board that operates in his area, where the Belfast Education and Library Board operated for many years without any political input whatsoever. The Minister eventually got around to addressing that issue, but it created a gap that remained for a long time, when constituents could not raise issues, and politicians and councillors could not bring issues into the heart of the debate in the Belfast Education and Library Board.

Mr Craig referred to the fact that the South Eastern Education and Library Board was run by, I think, three very nice people. I have no doubt that they were professional in their own way. They were appointed by the Minister, however, and were there to do the Minister's bidding, if I may use that expression. They were certainly not responsible to any members of the public, the parents or the teaching staff, and access to them was very limited. I am sure that they did their best and that their intentions were worthy, but there was no accountability from the commissioners.

We are moving towards the Bill, but there have been indications that we are not there yet, and other things have still to be settled. It does appear, however, that the groundwork has now been done, and the Bill will be good for education. It will provide stability in the educational system and opportunities for parents in that it will give them access to the policymakers and decision-makers. The Bill will help pupils, who, hopefully, will benefit from the creation of the Education Authority and the access that will become available. Northern Ireland will have a modern, responsive structure to take education forward.

There are direct outputs from the Bill. I suppose that it is right to say — again, it is more pertinent in the east of the city and the East Belfast constituency — that area planning will be a significant feature. Moving to the single body potentially allows for better area planning. No one can argue against area planning. It is the right thing to do, but, so often, it has let down the schools and pupils whom it is supposedly there to serve.

If we move forward, and we will, area planning has to have a number of factors. It has to have openness and transparency, and it must include meaningful consultation. You know, Minister, that, often, when board representatives come to speak to a school perceived to be under threat of closure, they do not come to seek a way forward or an innovative solution, they come to say that the school is closing and that there will be a period of consultation on its closure. More innovative thinking is needed, and there will be that opportunity as we move the Bill forward.

It has been well rehearsed, and I want to pay tribute to you, Minister, for a decision that you took concerning east Belfast.

Mr O'Dowd: I will have to listen to this one.

Mr Newton: I know.

The parents and teachers involved in Dundonald High School were engaged in a consultation process that adopted the approach that I outlined. It took the Minister to make a decision to keep the school open. I believe that the closure of Dundonald High School, and the context in which it was being brought about, needed to be looked at more innovatively. At least, the potential to keep it open needed a more innovative approach. Not only was an approach to keep it open needed but guidelines had to be set for how it could be kept open, whereas, when the board came to consult, it really was about closure.

I could go on about Orangefield High School, but we do not need to rehearse that because we have already been there. The fact is that you were challenged, Minister, with a judicial review on the potential merger of Newtownbreda High School and Knockbreda High School, the approach to which was an example of the area planning system letting down the potential of the schools.

There are other examples that we can learn from. A decision by the previous Minister to merge Beechfield and Mersey Street primary schools brought about the creation of a new build, Victoria Park Primary School. The plan was to build a 12-classroom school, when all the figures said that a 14-classroom school was needed. Only after consultation with parents, teachers and the board of governors, along with political input, was it decided not to open a brand new school with 12 classrooms and two Portakabins in the playground but to build a 14-classroom primary school. Again, area planning was letting us down, and it was letting down the pupils and teachers .

During your time at Committee, Minister, I raised the need to manage the change. Someone said that we should pay tribute to the Belfast Education and Library Board, the South Eastern Education and Library Board and the other boards and their staff, who, under difficult circumstances, have done a good job. I think that someone earlier referred to them "holding it together". We need to pay tribute to those staff members. As they move into the difficult situation of change, that change needs to be professionally managed. It needs to be done in such a way that there is a good communication system with all those who will be impacted on by the change. It needs to be seen that they are involved in the outcomes of the creation of the new body. We also need to protect them, Minister.

Situations cannot be arrived at in which it is extremely disadvantageous for someone to move from an education and library board to another body. The staff have delivered for us in the past, and they deserve our thanks for that.

Mrs Overend referred to there being a lot of disquiet. I hope that her disquiet will be overcome. During her opportunity to question you, Minister, at the Committee, Mrs Overend opened her remarks by saying:

> *"A lot of the questions have been covered".*

She appeared to be content with the questions that had been covered. She did not raise any issues. Her only cause for —

Mrs Overend: Will the Member give way?

Mr Newton: I will.

Mrs Overend: That is unbelievable. I was stating a fact. There were a number of members called before me, and so a number of questions had been covered. I did not say that all of them had been covered. That is rather petty.

Mr Newton: If you say that a lot of the questions have been covered, and you then do not raise anything about those questions, you assume that the Member was content with the answers given. I think that that is a reasonable assumption to make.

She then raised only a question about the structure — I will quote from Hansard — which was:

> *"How many places are there?"*

Her second question was:

> *"Will the unions apply to that other sector?"*

Mrs Overend then said:

> *"There are only four places, so it is quite limited. Is there room to manoeuvre around the numbers?"*

She continued:

> *"But it has to be representative, and that is key."*

I do not get in those questions all the concerns that were raised by Mrs Overend today, but it remains to be seen.

We are in a different place because of the diligent work that was carried out by the Committee over the past number of years on the ESA Bill. That diligent work will have to be carried on as we finalise the Bill. I pay tribute to former Committee members, and I hope that we can continue the diligence of that work in the coming days.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. It has already been stated that this is a short, simple and straightforward Bill. I intend my contribution to the debate to be in the same vein.

It is a bit like the individual who wants to buy himself a Mercedes but, when he looks at his bank statement, realises that he can afford only a Ford.

Although it is disappointing initially, when he thinks about the clapped-out old jalopy he is driving, which is coming up for MOT in five and a half months, maybe a Ford is not such a bad idea after all. That is the situation we are in. We could not get over the line with ESA, but we have been through everything on it. We have been through all the details. Trevor Lunn said today that we had had six or seven years going through every single dot and crossing every t. We have covered it inside out. We could not get agreement, unfortunately. In my view, it would have been a much better, more adventurous option and one that would have served our children in schools much better than the current model. However, the current model is not bad; it is better than what we have.

5.45 pm

Remember, what has triggered this is the reform of local government. The five education and library boards were defined by local government boundaries. Legislation is required to ensure that the education administration is compatible with local government reform. If it is not compatible, it could be open to legal challenge.

I understand that Members want to ensure that there is proper scrutiny. I agree with that. There should be proper scrutiny of any legislation that goes through, and a Sinn Féin Minister should be subject to as much scrutiny as any other Minister, whether they are from the DUP, the Ulster Unionists, Alliance, the SDLP or anybody. It is right that there is proper scrutiny, but we have scrutinised every aspect of education administration over the past six or seven years. It is time to move on.

Some people want to set themselves up as an opposition. Fair enough, I have no difficulty with that, but I have difficulty with people introducing, at the very last minute, issues that are not thought out and have never been raised before and that we hear about for the first time here in the Chamber. The issue of three boards rather than five — that is the first I have heard of that issue, which was raised here today.

The Assembly gets a lot of bad publicity in the media about politicians bickering. I do not always agree with that, and I think that the media focus on disagreements between various parties. I suppose that is the job that the media have, but there is a difference between bickering and standing on points of principle around certain issues. All of us will do that at certain times, but what will get us more bad publicity than anything is politicians in the Chamber bringing forward silly arguments by saying that this has not been thought through or properly scrutinised, when we all know that it has been. Scrutiny is good and opposition is good, but only when it is done properly, and it is not being done properly. I understand that John McCallister has a private Member's Bill on providing an opposition here coming up in the future. Maybe he feels that, on that basis, he has to oppose everything. Maybe the Ulster Unionists think that they have to oppose everything. That is not good politics, and it is certainly not good publicity for the Assembly.

I agree with Robin Newton that this is a good day for the Assembly. The groundwork has been done on the Bill, and it will be to the benefit of our young people and children in schools right across the North. That is what we should be thinking of: what is best for our education system and the children in our schools and how we can best administer that education system so that it benefits the children in the schools.

A single board will overarch the issue of compatibility with local government boundaries. It is argued that the new body should bring much of the £185 million savings over 10 years that it was calculated would accrue from the ESA Bill. I am always sceptical about figures, particularly when they

are projected over such a long period. I have no reason to doubt them; I am just always sceptical. Notwithstanding that, it is clear that, if we do not make the change now and end up with a one-board model rather than the current five, new investment will have to be put into those boards. Those boards are the old jalopy that is chugging along. They have been limping along now for the past number of years. If we do not get this Bill through, they will need significant new investment. Let us be clear: the service delivered by a single board will not differ from the service that is being delivered by the boards as they stand.

I accept that there are issues that probably need to be resolved around the make-up of the board and who should sit on it. I certainly think that the integrated and Irish-medium sectors, given the legislative underpinning that requires the Minister to encourage and facilitate those sectors, should have a role in the board. I am not opposed to the voluntary grammar sector having a role either. We should try to be as inclusive as possible so that sectors do not feel that they are being excluded and can all feel that they have a voice in the new set-up.

Mr B McCrea: Will the Member give way?

Mr Sheehan: Yes, I will give way.

Mr B McCrea: I just wonder on that point because I think that the Minister has said that, if we could expand the number of places to 30, we could probably fill those as well. Lots of people think that they should have representation on the board. The board may become unwieldy. Is the Member absolutely certain that we need sectoral representation on the board at all? Do we need people with vested interests trying to fight their corner, or should we look at a different way of doing things, which was the intention of the original ESA Bill? I just wonder whether we really have to make the board so big that everybody is on it.

Mr Sheehan: I certainly accept the argument that, if you make a board too big, it can become unwieldy. The model of the Policing Board was mentioned in the debate. It has 19 members and is not particularly unwieldy. It works quite well sometimes. Other times, it does not work so well. I would say that, if there were 13 members on the board, it would be the same. If there were 20 or 30 members on the board, you would have a similar outcome. Sometimes it works, and sometimes it does not, irrespective of how many are on it.

On the issue of whether there should be sectoral bodies involved in it, these are the people who have an interest in the education of our children, and these are the people who have a stake in the education of our children. It is only fair that people who are so closely involved in the education of our children should have a stake in this and that we should be inclusive rather than exclusive.

I am sure that Members will table amendments to the Bill as they see fit. As it stands now, I give it my support.

Mr Principal Deputy Speaker: If someone can get their telephone under control, we will move on.

Mr Agnew: I declare an interest as a director of NICIE. I suppose that, in the context of the Education Bill, it is a good opportunity for me to pay respect and indeed congratulations to my former teacher Michelle McIlveen, Chair of the Committee for Education. The House will already know that I had another illustrious teacher, Mr Sammy Wilson. He still gives me lectures, but I do not have to listen now, at least. *[Laughter.]* I am sure that both my former teachers in the DUP are very proud of what I have become.

The Education Minister has described the Bill as the path of least resistance. He said that no one loses and that it is the minimum legislation. We were told by a number of the Members who spoke that this is a good day for Northern Ireland's education system. If that is the case, we have set the bar pretty low. The Minister also referred to and to some extent criticised those who point the finger. I will point the finger. I point the finger at the Executive. This is a democracy, and you are the Government. If this is the best that you can bring forward, you have failed. There should be collective responsibility. We heard Members from parties that are on the Executive — maybe that is who the Minister was referring to — criticise the Bill and say that they had very little to do with it. I am sure that Mr McCallister will echo my comment that, if you have a Minister in the Executive and you say that you have no say in the Government on something as important as the Education Bill, I have to query what role you play. So I do point the finger at the Executive and the Executive parties. They have failed to bring forward an imaginative and progressive Education Bill, something other than what the Minister himself describes as minimal legislation.

An opportunity has been missed, in the Bill and in area-based planning. One of the few things in education that the DUP and Sinn Féin seem to agree on is the need to work towards a single education system. It will not happen overnight; I think that everyone would accept that. However, we are not even taking steps in that direction, either through the Bill or through area-based planning. We have a segregated system that is crumbling under its own inefficiency, and all that we have done is seek to prop it up. This legislation continues, as has been acknowledged by most, what is already in place. Area-based planning and so-called shared education has sought to find imaginative ways to keep an unviable system economically viable.

Members mentioned the membership of the new authority. I add to that that there is a need to have a voice from the integrated sector. There is a legal duty to facilitate and encourage integrated education. I agree with Mr Lunn that perhaps it should be a duty to promote. To me, that is a strategic duty, and the Minister has stressed that the Education Authority is a strategic body. The integrated sector should have at least a say in it, because, to some extent, that duty runs contrary to the interests of some of the other proposed board members.

A point that has not been made is that the new body will be a significant employer in our public sector. I have seen a figure of 35,000 staff under the new body, and the Minister can confirm whether that is correct. We have an opportunity in the Bill to set an example of how the public sector takes forward employment. It should be written in the Bill that the new authority will be a living wage employer. We hear a lot in the Assembly and in wider UK debate about making work pay. It is important that work pays for those on the lowest rung of our public bodies. In the legislation, we have an opportunity to set an example in that regard. Given that there is an issue around whether the Minister appoints the chief executive or the board does, the issue of the chief executive's pay will be raised. That should be set. There should be a maximum ratio between

the lowest paid on the board and the highest paid, who, presumably, will be the chief executive. We can perhaps salvage something that will be transformative through the Bill in what is otherwise uninspiring legislation.

6.00 pm

Chris Hazzard referred to educational excellence. That is an ambition that we all have. We may have different views on how we get there, but I do not think that the Bill moves us much in that direction. I do not think that it is harmful in that regard, but I do not think that this is the Bill or the vehicle. If we can see some efficiency savings going into front line education, that will be welcomed, but we have taken six or seven years to get here at an expense of £17 million. We were told that ESA would produce estimated savings of £180 million over 10 years. Whether or not those figures were accurate, it was, at least, something that we could look towards. I have yet to hear what, if any, savings will be made from this. Will we recoup the £17 million? Will we see efficiencies? Will we see more money directed into front line education services?

This is minimal legislation that, we have all been told, must be agreed, but it is clear that what the Executive have brought forward does not move much forward. As I have said before, we are told that our education sector will welcome the Bill, when, in reality, all it will welcome is the end of a long, tired old saga.

Mr B McCrea: A long, long, long time ago, I was a member of the Ulster Unionist Party. As Mr Craig pointed out, I was education spokesman. I listened to Miss McIlveen say, I think, that she had had the benefit of many UUP spokesmen and many bits of advice and was singularly unimpressed by any of them or anybody who had delivered them. I am happy to stand here and put my academic background in the measure against colleagues opposite. I am happy to take on the debate. I will not be intimidated. If any of you wish to take me on, I am happy to have the debate. That is the purpose of the Chamber and this part in the proceedings.

If Members opposite would like to have a copy of Hansard, I will send it to them, as the record shows where the opposition to the ESA Bills that were brought forward originally came from. Let us be honest: you cannot get a Bill on the Floor if it does not have agreement from the Executive. Those Bills were opposed because they were wrong.

When I look at this document, there are three phrases that stand out. The first is “the minimum required”; the second is “expediency”, which Mr Hazzard used; and the third is “a strategic body”, which is what the Minister hoped that this would be. Yet I can read the official record of 30 September, when the Minister outlined his proposals for accelerated passage, and he said:

> *“In only two respects does the Bill provide some element of significant change.”*

Mr Agnew, who spoke before me, said that this is a fairly limited proposal and it is not a good day for education or for the Assembly. I concur. This is the minimum. In fact, the Minister said:

> *“That is the extent of the Bill. Despite the new nomenclature and the two necessary changes that I have summarised, the Bill is best and most accurately understood as the minimum legislation required to create a single board”.*

You can argue about whether we have to do it by accelerated passage or not. I voted against that earlier today because I do not think that it is a good idea in principle, but I do understand the reasoning.

The most important thing that I would like the Minister to address is to be found on page 10 of the Official Report of the Committee meeting of 30 September. I do not think that it has been covered in this debate. The Minister said:

> *“As the body establishes itself and works through the urgent matters of staffing etc and consolidates its position, I think it only right and proper that one of the next steps would be to look at the future and consider how it sees education being delivered in the future.”*

This is the next step over which we have no control. Earlier, Mr Rogers was adamant about bringing forward amendments because he thinks that the Bill does not go far enough; he wants to make it an ESA Bill. I am concerned that the provisions put forward in the Bill are simple because we could agree on nothing else.

There is no agreement. There is no shared vision. There is no trust. There is no ability to work together. All there is is fear. I fear for, amongst others, the voluntary grammar sector, the controlled grammar sector, the integrated sector and the Irish-medium sector. The problem is that these people are left out of a consultation on what is a fundamental part of our civic society. We have not really addressed that issue; we have not actually got a resolution. I understand that you have to move forward on certain issues because of timescales, but we have not really fixed the problem. All that we have done is the minimum that is required.

There are a number of issues, and I recognise that I have little influence on these debates in terms of votes. All that I can do is raise with you concerns that I, as a stakeholder, would raise. It is not just the bodies that have a stake. I have a stake. It is my future. It is my children’s future. It is our community’s future. I am concerned that we are not addressing these issues properly.

Some people mentioned the Belfast Education and Library Board and how it went on without political representation for quite some time. Mr Newton brought that up. We will come to the South Eastern Board, because I know that Mr Lunn has a point on that. Maybe that was not a bad thing. Was it a bad thing that people were able to make decisions based on fact, policy and strategic vision? We got a great litany of what happens when politics gets involved in these decisions. It is really difficult to close a school in your area.

Mr Lunn mentioned the South Eastern Education and Library Board. I seem to recall — Mr Lunn might correct me as he is perhaps more expert on this matter than me — that it was the DUP that voted that body out of existence because it would not agree a budget. That is a pretty interesting position for Members on that side of the House because they are now —

Mr Weir: Will the Member give way?

Mr B McCrea: I will make the point and let you come in in a minute, Mr Weir.

This was where people made a point and said, "We are not going to agree a budget." Apparently that is an OK tactic if it is a South Eastern Education and Library Board but not if you are an Executive or Assembly. That is what caused that place to go and why we have had no political representation.

Mr Principal Deputy Speaker: I am struggling to understand the relevance of this point to what is before us. If it is part of the context and you are coming to the point, I encourage you to do that. You have taken an intervention, and I will not stop that. However, can we stay focused on why we are discussing this matter today?

Mr Weir: I cannot guarantee relevance, but I will try to be at least succinctly irrelevant in responding to the point that has been raised. The plug that was pulled on the South Eastern Board was pulled by a direct rule Minister at a time of direct rule. I cannot remember whether or not the Member was involved in politics at that stage. However, as with all the boards, the board had a 60% majority of unelected members. It is inaccurate to level that at any particular party. At that stage, efforts were made to try to protect those with special needs in particular. The Member should reflect on what he has said on the history of the South Eastern Board. It is not accurate, and I speak as someone who was a member of the South Eastern Board at one stage.

Mr B McCrea: It is interesting that that is one of the supposedly succinct interventions from the Member, but somewhere in the middle of that was the statement that this education and library board was run for quite some time with no political intervention.

I will go back to your point, Mr Principal Deputy Speaker. As I understand it, part of the Bill concerns the removal of education and library boards to turn them into a single education and library board, and another aspect is the membership of that body. That is why I think that my reference to the Belfast Education and Library Board and the South Eastern Education and Library Board is relevant to the discussion.

I do not wish to detain Members unnecessarily, other than to say that this is the minimum required. This is a political fudge; this is not a great day for Northern Ireland or the Assembly; and this is all we can achieve, which is not very much. Is there any need to have 20 people on the board? I asked Mr Sheehan why it needed to be so big. Do we want it to be even bigger? Do we want it to have 30 members? When we try to get more and more people on a body, the danger is that it does not get agreement. The fundamental problem with this debate is that there is no agreement, no trust and no way forward.

We will look at that when the Bill is being scrutinised. It is a very limited Bill, but I still worry that it is the Trojan Horse that will see the destruction of many of our successful schools, and I will not stand for it.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Ms Sugden, I remind the House that it is the convention that a maiden speech is made without interruption.

Ms Sugden: Thank you, Mr Principal Deputy Speaker. I am sure that many Members will be glad to see me, an independent representative, rise in my place, as it suggests that this long day is nearly over. Coleraine, however, is a long drive, I have a Committee meeting in the morning, we could make the most of the evening, I have a lot to say, and I am pretty sure that, on this opportunity of my maiden speech, what I say does not have to be relevant. *[Laughter.]* I had hoped to make my maiden speech before now, but I will admit that these past few months have been a challenge and a steep learning curve for me in a role that was very unexpected. I assure the House that, as an MLA, I am very capable of holding the Northern Ireland Executive to account and doing the job that we are here to do for the best interests of my constituents.

If anything, these past few months have been invigorating for me. I have been given a unique opportunity to serve the people of East Londonderry and to be their advocate and champion. I pay tribute to my constituents, because, indirectly, I have been given a mandate to serve them, and I will honour that as best I can. I am grateful for their support during my short time in office.

The passing of my predecessor, my boss and, most of all, my dear friend David McClarty was heartbreaking. In life and death, David was and remains an important influence in my life. He was my mentor, he was my guide, and he is the politician whom I would be honoured to become. I am privileged to sit here after him. The reaction to his passing was comforting, because Coleraine — in fact, Northern Ireland — loved him as much as I did. As an independent politician, David did not move political mountains, but he achieved much more, because he connected with the people whom he represented and helped them. As politicians — as elected representatives — that is one thing that we should all strive to do. All politics is local, and political parties in the House would do well to remember that for the benefit of Northern Ireland.

I move now to the Bill. I will not stand here and reiterate what other Members have said in support of the Bill, because I struggle to add anything else. As was said, it is short, simple and uninspiring — a Ford, if you like — and a matter of process to tidy up an RPA legal framework. In other words, it is a limited Bill. It further demonstrates the inability of our Executive to legislate effectively without throwing their toys out of the pram or making deals behind closed doors.

Yesterday, I abstained from voting for our new Speaker. I was frustrated, and I was not going to vote for a deal that I did not make. Mr Principal Deputy Speaker, I have no issue with you sitting in the Chair. You seem to be quite well versed in the role, but I do have an issue when two parties make deals behind closed doors, forgetting the mandate of other elected representatives in the House. Had that deal been made with the consensus of everyone, you might be sitting here as Speaker — well, that is unlikely.

6.15 pm

I will take this opportunity, because I can, to remind all political parties moving into the new talks to be mindful of the position that the people of Northern Ireland put you in. Be mindful of how far we have come, because that is important, and take responsibility for the power that you hold. I am 28 years old. I live for Northern Ireland. I live for politics in Northern Ireland. I would love to bring my generation with me. I want my generation to feel the same way about this country and Administration as I do. You

know, it is OK to drive a Ford, but I would rather drive a Porsche, and I think that that is what we should aim for.

I will support the Bill, so that box is ticked. However, I note, as others noted, the lack of representation from groups other than the controlled sector. That was particularly apparent when I requested a meeting with our Minister of Education and he refused, saying that it was not necessary, and directed me to my education and library board. Minister, I went to someone at my education and library board, and he directed me back to you. These people do not have anyone to lobby for them, and, in my position as an elected representative for East Londonderry, I have tried to do that.

All of our children deserve to have the best education, but they can have that only if they have someone to voice their concerns. I believe that they should be included in such a board. Maybe we should move forward with that.

As I reiterated, the Bill will go through as a matter of process, and that is fine, but it represents a shortfall in our government. We have the potential to do so much more, and I look forward to a time when we are able to do that.

Mr McCallister: Let me be the first to congratulate Ms Sugden on her maiden speech. I declare an interest. My wife is a teacher in the employment of the South Eastern Education and Library Board, and she is also from east Londonderry originally. In case you try to stop me speaking, Mr Principal Deputy Speaker, I voted for you yesterday. *[Laughter.]* I also voted for Mr Dallat and for Mr Beggs, just to cover all the bases.

The Minister claimed that the Bill is likely to bring savings of between £180 million and £185 million. When he responds to the debate, I would like some detail on the foundation of that claim That is a lot of money to claim as savings, and it is over quite an extended period. The Minister had to admit to the Committee that the business case for the Bill and this model of reform had not been submitted to DFP. I am sure that he will want to comment on when he expects that business case to be ready. Are we likely to pass the legislation before the business case has even been presented to DFP?

The Minister claimed that this model will continue without any further reduction in posts. He will be aware that, in preparation for ESA, the education and library boards shed more than 400 jobs. Considering that the Bill does not introduce any radical reform — rather, it is a reshuffling of the pack — I ask the Minister where these savings, without further significant reforms, are likely to come from. That brings me to the point that, at times, when listening to the debate, I felt that we almost seemed to have two Bills: one that the DUP thinks that it is talking about; and one that Sinn Féin thinks that it is talking about. I am not quite sure that we are all talking about the same Bill.

The Minister claims that he wants to give certainty to staff. As others have said — I will reiterate it — staff have been treated abysmally by the entire Executive for years now. We want the Bill to be more than just a stopgap, yet they are going to find significant savings over the next 10 years. It is hard to see where those will come from. If the Minister could give more clarity on the savings and the business case in his summing-up, I would be very grateful.

I ask DUP and UUP colleagues where the Bill leaves their stated policy. Perhaps, as Mr Craig would say, press releases do not mean anything. The stated policy of the First Minister, Peter Robinson, and, I am fairly certain, Mike Nesbitt on numerous occasions has been to move to a single education system. The Bill appears to me to consolidate the divide that they claim to hate so much. In fact, Mr McCausland, in his contribution, was almost congratulating himself on getting a place for the sector that he is most passionate about, but where does that sit with the move to a single education system?

I believe that the Minister is right in his approach to a shared education system. I think that it is a more realistic outcome of where we will get to, but it is important to have financial support for the controlled sector body in there. I do not quite understand how you can have a single education system that the DUP and the UUP talk about, only then suddenly to want all these sectoral interests, unless you have completely abandoned that approach. Or was it more about having a dig at the Catholic Church?

I have something to say to the Alliance Party about integrated education. There is a lack of representation for the integrated sector in the Bill, and, let us face it, the Alliance Party probably considers itself the custodian of the integrated sector. I am amazed that it is allowing the Bill to pass by accelerated passage without giving the integrated sector, or the Irish-medium sector for that matter, an opportunity to come before the Committee, speak and present its concerns on the Bill. I am disappointed with that approach, and I will reiterate my concerns about accelerated passage.

We are hearing arguments that this is a short and simple Bill. If it is short and simple, why do we not do the proper process? We spent £17 million or £18 million on a shadow form of ESA that never became relevant. Surely we could do the preparatory work that Mr McCausland talked about while letting the Bill go through the Assembly processes. It is right and proper that the Bill should have gone through Committee.

I will pick up on some of the points that colleagues made. There was talk of minimal legislation but delivering maximum ESA savings. Is that a viable position to hold? Is that likely to happen? Michelle McIlveen, as Chair of the Committee, talked about the maximum amount of the budget going to children and front line services. The Executive should be striving for that.

Mr Hazzard made a point about educational excellence. I do not think that you will find any disagreement from anyone that we want to see excellence in every school in the land. We all strive for that and want it for our own family and children. We should want to extend that to all our constituents and all our citizens.

Mr Rogers talked about road maps and certainty, but the problem with the Bill is that I am not quite sure that it provides the level of certainty, because it seems that we will need significant reform to go with this if we are to build up that level of savings. If we get this legislation wrong, it will not benefit anyone. If the Bill does not receive the proper scrutiny — the valued scrutiny that Miss McIlveen and the Committee could provide — I do not think that that would be good for anyone, let alone our representative democracy.

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

I take issue with Mr Craig's point that, somehow, this was never supported by the DUP. He cast up that, because it was so long ago, I was still a member of the UUP. We have been doing the review of public administration for so long that Nelson McCausland and Peter Weir were members of the UUP at the start. It is so long in the grind of getting through this.

Mr Weir: Will the Member give way?

Mr McCallister: He is clearly going to make another very relevant point.

Mr Weir: I obviously did not reach the dizzy heights of deputy leadership of the said party, but, whereas the accusation would be true of me at the time of the introduction of RPA, I urge him to withdraw the scurrilous accusation against Nelson McCausland who, at that stage, was not a member of the Ulster Unionist Party. *[Laughter.]*

Mr McCallister: It is good to hear that Nelson got out slightly earlier than Peter.

Mr Storey: And yourself.

Mr McCallister: Yes; and myself. *[Laughter.]* Mr Craig's comments highlight — as I keep warning, with all the charity that I can muster, my former colleagues in the UUP — that this is why you should not do unionist unity: you cannot believe a word that they tell you. A press release in July 2012 stated:

> *"Following a series of meetings and discussions the First Minister and the deputy First Minister are pleased to announce agreements across a range of policy areas and initiatives that will be taken forward over the course of the next number of weeks.".*

Jointly, they went on to say that they were delighted to make announcements on a wide range of initiatives, including the Maze/Long Kesh Development Corporation; the Victims Commissioner; the Ilex chair; the investment strategy for Northern Ireland; the cohesion, sharing and integration strategy — that is going well; and the Education and Skills Authority. Now let us read what the press release says on it:

> *"The discussions on the content of the ESA bill have been successfully concluded and the bill will be brought to the next meeting of the Executive in order to commence its legislative passage in the Assembly.".*

Although we might have established that Mr McCausland was not a member of the UUP when RPA started, he was a member of the Executive when that press release went out. He was the Minister for Social Development, and Mr Storey, the now Minister, was Chair of the Education Committee. A Bill cannot leave the Executive if OFMDFM does not give its approval, so this idea that the DUP somehow never supported the ESA Bill, never had its hands anywhere near it and would not be seen to support it has to be an absolute myth. You cannot —

Mr Storey: Will the Member give way?

Mr McCallister: Mr Storey will maybe confirm that he knows because he is bound to have been involved in the talks at that point.

Mr Storey: I am glad that the Member has given way. As always with NI21 — as far as I know, that is still the party that the Member belongs to —

Mr McCallister: No.

Mr Storey: Oh no, he does not and all that. He is now an independent. That is right.

Let us set the record straight. If the Member goes back and checks the timeline for the agreement in the Executive, he will see that it was predicated on the basis of the decision that was made by the First Minister and deputy First Minister about the heads of agreement. The heads of agreement were the basis upon which the Bill would proceed. It was abundantly clear, when the Bill proceeded, that the heads of agreement could not be implemented because of difficulties with clause 5 and clause 10. When the Member checks the facts about the heads of agreement and the Bill, he will find that that was the timeline. My party remained committed to delivery, but the difficulty was that what was going to be delivered was not what had been agreed.

Mr McCallister: I am grateful for that, but that is at direct variance with what Mr Craig said, which was that we could not believe a press release coming out of OFMDFM. I know that, perhaps in DUP circles, the First Minister may not be the force that he once was, but, back in 2012, this was what you said: the Bill could not have left OFMDFM without your agreement and your hands effectively all over it, and you agreed it. Mr Craig almost denied that you had anything to do with it; the press release was nothing to do with you.

6.30 pm

I turn to other issues. Overall, we are making a mistake by rushing this legislation through. The Bill is not nearly as dramatic as the original ESA Bill was going to be. I am not going to vote against it tonight, simply because there is an overwhelming majority in favour of it. However, I think that this is something that should have gone through a proper scrutiny process with all of the benefits that that brings. Effectively, what we have done here today and acquiesced so much on is the Executive getting a rubber stamp from the Northern Ireland Assembly without the proper scrutiny. It will mean that there will probably be more amendments. It will mean that we will probably have it passed before a suitable business case is anywhere near DFP.

Mr Sheehan talked about opposition. If he checks my voting record, he will find the type of opposition that I mean, which is that when you think that something is bad or there is poor legislation or poor governance, you vote against it, like accelerated passage. Oddly enough, it would have been very easy for me to vote against things like the Public Service Pensions Bill, but it was the fiscally responsible thing to do. It would be very easy for me to join you guys and vote against —

Mr Sheehan: Will the Member give way?

Mr McCallister: — welfare reform or hold out. It would not be the terribly wise thing to do. Even former Minister McCausland made some advances in negotiating opt-outs on welfare reform. Yet, here we are caught in a crisis of Sinn Féin's own making.

I give way to the Member.

Mr Sheehan: I thank the Member for giving way. I am not calling the Member's integrity into question. My point simply is this: people sometimes oppose for the sake of opposing, whether it is bad, good or indifferent legislation or a bad, good or indifferent motion. People oppose just for the sake of it to say, "I am the opposition" or "We are the opposition". That is common currency in the House, and that is what gets this place a bad name.

Mr McCallister: What gets us a bad name is when you try to do it and you do not have the integrity to come out of the Government. You do not have the collective responsibility; you do not have that part that says, "I do not agree with this; I will resign from the Government". That is it. That includes Sinn Féin's position on welfare reform. As the second largest party in the Government, there is a responsibility. We had to send the Finance Minister to get a £100 million loan to stop this thing going into the red. That is not good governance. I appreciate that —

Mr Deputy Speaker (Mr Dallat): Order, please. Far be it from me to remind the Member that he is drifting somewhat in educational terms.

Mr McCallister: Mr Deputy Speaker, I am grateful, as ever, for your guidance.

The Assembly should be scrutinising the Bill and scrutinising other legislation, other motions and the work of the Executive branch of government. That is why it is so important to take our time. Having wasted years, we are suddenly faced with doing this in a matter of weeks. I think that that is a matter of huge regret, and we are perhaps not doing the best job. We should all regret that state of affairs very much.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. Bhí díospóireacht bhíomhar againn anseo inniu, agus is maith an rud é sin. We have had a lively debate today, and that is a very good thing. It is right that differing views should be heard and that we should debate challenging issues. However, given the inexorable deadline presented by local government reform, it is imperative that we seek consensus and agree quickly to move forward. Consensus will be key to the success of the Bill. It is for that reason that the Bill is drafted in such concise terms.

I welcome the interest that has been shown on all sides of the House, and I thank those Members who contributed. Many specific points were raised, and I shall address as many of them as possible. I shall, of course, write to Members on any issues that I am unable to cover now.

In her opening remarks as Chair of the Committee, Ms McIlveen posed a number of questions about elements of the Bill. The four community representatives will be appointed through the public appointments process, which will be open and transparent and done in conjunction with the due processes.

A number of Members raised the question of how the Education Authority is to save £185 million. Indeed, Mr McCallister raised it at the end of his comments. A key component of realising savings will be through the rationalisation of services and structures, for example, ICT, HR and finance systems. In preparation for ESA, significant work has already been undertaken on the harmonisation of those services. That also covers the point about the spend of £17 million in preparation for ESA. Efficiencies realised will be comparable in scale to those expected from ESA, which were estimated at around £185 million over 10 years. That will be the difference between implementing the Education Authority and rebooting the boards and CCMS etc to 2008 levels. This is money that we will not have to spend, providing that the Education Authority is established.

As expected, fewer staff will be employed in the Education Authority, particularly in management grades, than in the current five boards. Significant reductions in staff have already been made in anticipation of ESA. Many of the savings have, therefore, already been made. It is my expectation that any remaining reductions will be made through voluntary redundancy, retirement and resignations. A full business case is in the process of being finalised, and I will share it with the Education Committee at the earliest possible moment. Members will have access to that full information.

Ms McIlveen also raised the issue of wider reform of education administration, the consideration of greater and more appropriate delegation to schools and the simplification of education legislation. That is an objective that can be achieved, but I think that it can be achieved in a different Bill. The key to this Bill — it has been said time and time again — is to deal with the structures that are currently before us and reduce those down into the one authority. Once we have that legislation and the confidence of the education sector is reinstated, we could move towards looking at that. Education legislation is very complex, and I think that it needs to be refreshed. A very complex piece of legislation will be needed to bring that forward, and I expect that there will have to be detailed discussions to reach agreement on it. Let us get this Bill over the line, let us restore confidence in the education sector, and then we can move to that.

As to the appointment of the chief executive, let me put it on the record that I do not believe that "interim" is five, 10 or 15 years. To me, "interim" is up to two years. There was one suggestion of six months, but that is unrealistic. I do not think that candidates would apply for that, and I do not think that any successful candidate would be in position for long enough to make any difference to a board within six months. An interim appointment of around two years is realistic.

It is not uncommon for the chief executive of a non-departmental public body to be appointed by the sponsoring Department. That is consistent with guidance issued by DFP on the establishment of public bodies. The appointment of the first CEO by the Department is for practical reasons, as the Education Authority will not be established in time to undertake the selection and appointment of the chief executive to be in post in April 2015. Even with accelerated passage, we are still facing challenges over time — I say that also in response to Mr McCallister's points. It is critical for the Education Authority to ensure that the necessary minimum administrative arrangements are in place for 1 April 2015. There are examples of similar practice in the appointment of CEOs for development corporations. One notable example is the appointment of the CEO for the Maze/Long Kesh Development Corporation. Maybe that is not the best example in the world, but that is recognised practice.

Another issue raised by Ms McIlveen was that of a controlled sector support body. I urge caution in the days and weeks ahead in tabling amendments to this Bill. This Bill is very finely balanced, and, if we go after elements of

ESA that we favoured or go after lobbies that we favour and try to introduce them to the Bill, we are opening a Pandora's box. Once we open it, we will not get it closed again. We will end up in the same mess as we were in with ESA. This is not ESA. Members opposite are quite entitled to lobby for and seek the type of recognition that a number of them sought for the controlled sector support body and different pieces of legislation, but I urge them to think: this is not the legislation to do that in. If we break the balance in this legislation, the hopes and aspirations of many people will falter, and, certainly, any hopes in the short term for a controlled sector support body will be lost, as will the funding for that body etc.

I have had discussions with the controlled sector lobby, and I have set out my proposals and plans to it in writing. I have put in Executive minutes exactly what I read out in the Chamber today about the roles and responsibilities of that body. It is in the minutes of the Executive, and it is now in Hansard. I will also incorporate the roles and responsibilities of that body in DE's corporate plan. So there are a number of factors that give assurances to that body.

I will also table an amendment to the Bill. I have been clear with the controlled sector from day one. I will not name any sector in the Bill, because I think that that upsets the balance and will open up that Pandora's box. The amendment that I propose to table will read:

> *"The Department may, subject to such conditions a it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of grant-aided schools of a particular description."*

That clause will ensure that funding will go to the controlled sector. Indeed, I put it on record in Hansard that, once the Bill moves through Consideration Stage, I will start funding a controlled sector support body to get it up and running. Some considerable pieces of work were carried out, I think, in the last calendar year in relation to that body, and I will rejuvenate it. However, Members, I caution you: we are dealing with very finely balanced legislation; let us not tip it the wrong way. I say that to all Members.

Before I deal with the statutory duties of the authority, let me deal with its membership. Various Members around the Chamber made suggestions about which bodies should be represented on the authority. I believe that the make-up of the authority, as it is currently set out in the Bill, is sufficient and will give it democratic and representative authority across the board. However, if Members table amendments that have the favour of the House in the sense of the various bodies that have been mentioned today — the voluntary grammar sector, the integrated sector and the Irish-medium sector — I will not object. However, again, let us ensure that the balance of the board is not thrown one way or the other and that, whatever numbers we end up with on that board, it is a strategic body.

Mr Lunn referred to the amendments that he will table on political representation on the board. I will study those closely and go back to why we came up with the formula for the political representation on the board. I am open to persuasion on all matters in relation to representation on the board. However, I emphasise that it is a strategic body, and I hope that the members who join it will not do so simply to represent the interests of their sector but will be there to set the strategic direction of education into the future.

I want to return to the role of the board or the authority — I have to get used to using the term "authority" — later, because Mr McCrea also made interesting comments about it that I want to respond to.

Mrs Overend said — I paraphrase — that the UUP reacted negatively to the previous Bills. That is correct. That is absolutely correct, and that is not a compliment. Negativity has bogged this process down for several years. As I said, it is a collective responsibility for the failure to get ESA this far. I have my own views about why the ESA Bill failed and who was the original author of that failure, but I think that it is a waste of time —

Mr Storey: Go on, name him.

Mr O'Dowd: It is not you. *[Laughter.]* You are on the list of accomplices, so you are. It would be a waste of time and would not serve any purpose at this time.

6.45 pm

We have failed to agree an ESA Bill; we have brought forward the single authority Bill, which is simple in its make-up, and I believe that we can reach agreement on it.

Mrs Overend also mentioned the £17 million put in place to prepare for the ESA. I welcome the continued interest of the Social Development Minister and former Education Committee Chair in that matter. However, the reason why the boards were run down and £17 million was invested in establishing the ESA was not some clever ploy to force the ESA through the back door: the ESA was a Programme for Government commitment, not in one Programme for Government but in two. Any responsible Minister who has a Programme for Government commitment has a duty to prepare for it and, indeed, it was always the view in budget deliberations that the Department of Education had the ability to save about £20 million per annum as it prepared for the ESA. So there was a Programme for Government commitment and also budgetary pressures bearing down on us to prepare for the ESA. About 400 staff have left the education boards in preparation for the ESA, and that will hold us in good stead in preparation for the Education Authority.

I cannot say how much of the £17 million will be directly attributed to work that goes into the Education Authority. That will be for others to investigate at another time. However, a significant amount of money from that work programme will, in my opinion, transfer to the authority to allow it to carry out its work.

I have covered points about additional powers.

Mr Rogers raised a number of points that I want to return to. He talked about the membership of the board and who, in his view, should be on it. As I have said, I am open to persuasion on all those matters. However, I want to say this: the new Education Authority will have to be compliant with the agreements reached under the Good Friday Agreement and with Irish-medium and integrated education legislation. The new authority will work under the schemes of the Department of Education, and therefore, by law, it will have to take into account its legal duties for Irish-medium and integrated education, whether or not those sectors are represented on the board.

Mrs Overend asked me whether I had taken into consideration the Drumragh judgement. I have done so, in the preparation of all my work in recent times and since the

judgement. I do not believe that anything that I have done in relation to the Bill does harm to the judgement, although the judgement is not as clearly in favour of one side and against the other as some would like us to believe. However, I take into account the judgement as I carry out my work across many elements of the Department.

As to the question of what happened to the two previous Bills to establish the ESA, I will not go down that road.

Mr Lunn and many other Members paid tribute to the staff who have struggled to hold together the current boards and to our school and teaching staff. I join them in paying that tribute. Many heroic measures have been taken by our education and library boards, in particular, in the work that they have carried out over this last number of years. We have a duty to them, as much as anything, in relation to ensuring that we bring forward legislation that gives certainty to education.

Mr Storey: I thank the Minister for giving way. I wish to record my gratitude, as former Chair of the Education Committee, to the education and library boards and, in particular, to those senior staff and others on the boards who, over the years, made an invaluable contribution to education. We may not have always agreed; we may have had our differences, and we may have had issues, particularly about the controlled sector and the way in which it was placed. However, that does not diminish the immense work that was done. I welcome the comments by the Minister about that, and I ask him whether he can ensure, in some way, that that recognition can be conveyed to the boards so that they know how much we, the Assembly, appreciate what they have done.

Mr O'Dowd: He hasn't gone away, you know.

I certainly will do that, and it is only right and proper to do so. In fairness, during the debate, many Members paid tribute to the sterling work carried out by the boards. I will examine ways to mark that, if we get a new Education Authority, of course, and we are all hopeful that we will.

Mr Craig covered support to schools from the boards because of the rundown in preparation for the ill-fated ESA. He wants to know how services will move across and how they will develop. All services will move across, but it is only right and proper that the authority itself decides how those services develop. That programme of work should be carried out in consultation with schools and others, but the authority and its membership carries responsibility for such matters.

What happens to the chief executives of the five ELBs? At present, there is only one substantive chief executive, although those who have stepped into other roles have carried out an excellent job. Once the five ELBs are dissolved or amalgamated — whatever word you want to use — there will be no requirement for the five chief executive posts. Those chief executives are perfectly entitled to apply for any post in the new authority. I suspect that some of them will, and I wish them well. That process will come after employment decisions and the usual employment protocols that will follow through. There will certainly not be five chief executives underneath the new authority when it comes into being.

Mr McCausland referred to a change management strategy, as did Mr Newton in Committee, and to today's gain. A change management programme will be delivered to oversee the transition from five ELBs and their staff commission to a single Education Authority. That will be a large-scale reform programme that will continue to be embedded over a number of years beyond 2015. It is anticipated that it will take some time to arrive at a steady state following the creation of the new authority.

A programme management board will identify and oversee the key work strands necessary to deliver the Education Authority. Early scoping has indicated that those may include human resources, legislation, equality and communications, governance arrangements, operations and services, finance and dissolution, and the establishment of a controlled sectoral support body. I want the controlled sectoral support body to be up and functioning by 1 April 2015 at the latest, and there will be continued support for that body afterwards. A change programme strategy will be in place, which will evolve as time moves forward, and it is significant work.

Mr Kinahan questioned why the Department of Education should appoint the chair, and he wanted to be reassured that the appointment of the chair, if carried out by the Department, would be open and transparent. With such major strategic government bodies, it is normal practice for the sponsoring Department to appoint the chair. However, that appointment must take place in line with the public appointments process, so it has to be an open and transparent process. It will be advertised and will be quite a significant appointment, because that person will be in charge of an authority that, in one way or another, has responsibility for a budget of around £1·8 billion. We will be looking for a significant figure in the process. The post will be widely advertised, job descriptions etc will be put in place, and the usual public appointments process will kick in.

Mr Kinahan also raised issues relating to the interim chief executive, which I have covered. A maximum of two years is interim. That gives a person the opportunity to go in, establish the board and steady the authority, and the authority then has a period to employ a new chief executive.

Mr Newton covered a wide range of areas. He also congratulated me at one point, which I would like to read twice in the Hansard report. He expressed concerns about the area-planning process and used a number of examples. He gave one example of the process working — Dundonald — although he suggested that that was down to the intervention of the Minister. The Minister always has a role in area planning. He referred to the Newtownbreda/Knockbreda judicial review, although he did not refer to the fact that the board won that and was found to have acted properly.

Victoria Park Primary School was mentioned. Lessons have to be learned about the size of that school and how we came to that figure, but it worked out OK in the end.

Area planning will have to continue. Clearly, the new authority will carry out a role, and that will be complemented by the controlled schools sectoral support body, which will also join that overarching group. Area planning is a difficult process. The closure or amalgamation of schools is never easy. When a board or authority has to come to a decision about moving to that process, there needs to be consultation, and it needs to be carried out very carefully. People need to feel valued. You need to ensure that their views are heard, and then a

decision has to be made on the future of a school or group of schools. The authority will play a major role in that.

I may have missed some Members' comments. My officials will go through the Hansard report, and, if other points require clarity or a response, I will provide that.

I want to refer to Mr McCrea's commentary. I assume that he was referring to the Hansard report of the Education Committee and my comments to that Committee. I am paraphrasing, but he referred to me saying that the education body would discuss the future direction of education. I see that Mr McCrea has left. I accept that I am paraphrasing, but he appeared to have concerns about that statement. Why would an education authority not discuss the future direction of education? Of course it should. The people on the authority will be key in the delivery of day-to-day education and the education strategy.

Anyone concerned that the body will discuss the future direction of travel in education can be comforted by this: the body will have no legislative authority to change that direction. The legislative authority for that rests with the Assembly, so it is vital that I as Minister, my Department and the Assembly listen very carefully to the views of any future education authority. We should not be concerned that we are vesting powers in the authority that, in some way, will allow it to take decisions that are, quite properly, decisions for the Assembly. There should be no concerns about that.

I think that I have covered all the points. I emphasise again that this is not ESA. I think that it was the Chair of the Committee who said that it was not ESA lite, so let us not make it ESA lite. Let us not create ESA in the next couple of weeks. We could not get agreement on ESA over seven years, and we will not get agreement on ESA in the next seven weeks, so I urge Members across the House to be conscious that, when tabling amendments, as is their right and entitlement, they do so in the spirit that this is minimalist legislation. We acknowledge that many sectors, quite rightly, lobby us as elected representatives and seek changes to legislation. I strongly urge Members to accept the argument that this is not the legislation in which to do that. That does not in any way deny you your right or entitlement to campaign and, at a future date, to introduce new legislation or make changes to legislation, but I urge Members not to amend the Bill out of existence.

Question put and agreed to.

Resolved:

> *That the Second Stage of the Education Bill [NIA 38/11-16] be agreed.*

Motion made:

> *That the Assembly do now adjourn. — [Mr Deputy Speaker.]*

Adjournment

Heart Surgery for Children: Upper Bann

Mr Deputy Speaker (Mr Dallat): The proposer of the topic will have 15 minutes, and all other Members who wish to speak will have approximately seven minutes.

Mrs Dobson: The reason why this is such an important debate is that it is the first time that the current Minister will speak on this issue in the Chamber.

Hold on, Mr Deputy Speaker. That was from the speech that I had planned to give, until this morning's impromptu statement from the Minister. Nevertheless, I would have thought that the previous Minister could have shown respect to the House and to the many families who are worried sick about the issue by at least making a formal statement on it. Alas, it was not to be.

7.00 pm

To quote the new Minister:

> *"It is one of the most complicated and controversial issues on my desk at the minute ... I have time to take a long, cold look at it."*

Taking a long, cold look at things seems to be something that Stormont is all too familiar with. Parents and their children looking in from the outside can be forgiven for wondering when the long, cold looks will end and the action start. Those are the same parents whom the Minister spoke about earlier, saying that it is a bitter pill for them to swallow — bitter indeed. Meanwhile, those same parents have the worry — the very real, sickening worry — for their children's health and life.

As I and everyone else know only too well, health is an issue that leaves no home untouched. However, the issue of children's cardiac services is especially emotive, given the age of many of the young people involved and the sheer challenges that they are expected to overcome, often in the first few weeks of their life, and, for too many young children, in the weeks, months and years that lie ahead. There are parents across Upper Bann — I know that the Minister has already met several of them because he mentioned it in the House this morning — for whom the issue is so very dear. It is for those parents and their children that I have secured this Adjournment debate. They and other parents have made lengthy trips to this Building over the past three years, to be met with little more than hollow promises, followed by reports, reviews and consultations.

The business of government grinds slowly — far too slowly — when it comes to protecting the needs of some of the most vulnerable children in our society and addressing the very real fears of their families. I do not blame the current Minister for the actions of his predecessor, and I welcome his assurance to my colleague Robin Swann this morning that he will take a deep personal interest in the issue. Nevertheless, I reiterate my disappointment and that of my party colleagues, as well as that of many other people, at

the manner in which it was revealed that the international review group has found that retaining children's surgical cardiac services in Belfast is unsustainable.

The manner in which that information was revealed — through a clearly planted question on the day that the previous Minister knew that he was being sacked — showed little regard for the concerns of the families or the seriousness of the issue. In addition, the Minister would have known that, by making the announcement in the manner in which he did, it would have only been prolonging the agony for those families. He would have known that it would be weeks before the report would be published in full.

My party still wants to see services retained in Belfast. We believe that, with the right level of dedication, the Minister and his Department would be able to hold on to the required expertise. The number of children affected may be relatively small, but, in my opinion, that is something to be pleased about rather than used to cast doubt. Parents in Upper Bann hold many of the same concerns. If the findings that Edwin Poots previously revealed are acted on, what provision, for instance, will be put in place to ensure that all patients, including those needing urgent emergency treatment, will receive care in a safe and time-critical fashion? Although Upper Bann is closer to Dublin than some parts of Northern Ireland are, it is most likely that, in an emergency, families will still have to travel first to Belfast to get the diagnosis before travelling onwards if surgery or emergency interventions are no longer available there.

Another issue that parents are concerned about locally is whether Northern Ireland's cardiology skills and the associated services will be maintained and developed. The prospect of losing children's heart surgery could have a very detrimental impact on the remaining service. Specifically, Minister, when will the £1 million promised by John Compton last year for paediatric cardiology services be delivered? Northern Ireland is at the forefront in many areas of paediatric cardiology, such as telemedicine, research and training. I know that you will share my belief that it is critical that those are further developed.

As I draw my remarks to a conclusion, I will raise with the Minister one more issue that would be of direct benefit to parents in Upper Bann. In March, the Assembly debated the issue of pulse oximetry screening for newborns. In fact, the Minister participated in the debate. He said:

> *"this is a simple, cheap and non-invasive test that could have significant results for children born with congenital heart disease." — [Official Report, Bound Volume 92, p273, col 2].*

Minister, will you now please bring forward that test? As we know, the earlier that something is detected, often, the easier it is to address. Children's cardiac services is one of the most challenging issues facing the Minister. He needs to take cognisance of the medical advice being offered to him and find a way of balancing that with the wishes of the clear majority of the people of Northern Ireland.

The Minister will soon be making a very difficult decision. He knows my views and those of my party. I know that, after his meeting yesterday and today's debate, he will at least know the views of the parents of Upper Bann.

Mr Anderson: I welcome the opportunity to speak in this debate. I commend Mrs Dobson for bringing this important, emotive and sensitive issue to the House. It has relevance, of course, to not only Upper Bann but right across the country.

Cardiac services for children are crucial, and their needs and quality of care must at all times be a top priority. The debate is timely by complete coincidence: it takes place on the same day as the new Health Minister presented his statement to the House on proposals for paediatric congenital cardiac services. In that sense, as Mr Wells said earlier, many of the issues that we debate this evening will probably have been considered this morning.

The whole issue of children's heart disease is something that I have taken a close interest in for a considerable time. Along with my colleagues David Simpson MP and Stephen Moutray MLA, I have worked with a number of families right across Upper Bann. Therefore, I am well aware of the strength of feeling and emotion around this very complex issue. I pay tribute to the work of the Children's Heartbeat Trust charity for the very special work it carries out daily. I have only to look at the McKee, Greenaway and Flaherty families from my constituency to see the dedication and commitment to fighting for a solution to service provision for those very special children. Those families have inspired many across Upper Bann, and they have helped to cast much light on this important topic. Charities and support groups such as the Children's Heartbeat Trust can also be a real help and encouragement to families whose children have serious heart problems.

I also pay great tribute to the Clark Clinic in the Royal Belfast Hospital for Sick Children for the excellent work it does. Its dedication and skills have been highlighted by the very emotional personal stories that I have heard from families. The life-saving specialist work it undertakes must be commended.

I spoke to the families as recently as yesterday, and I place on record their sincere thanks to all involved in the care of their beloved children, not least the former Health Minister, Edwin Poots, who made himself available at all times and was a great listening ear.

Mrs Dobson: I thank the Member for giving way. I am loathe to say that it was a coincidence; I think that I will table more Adjournment debates if that is the impact they have, but anyway. Does the Member share my hope that, with the change in Minister, good news will finally be delivered to the families you spoke of? We both know them and hold them very close to our hearts. Hopefully, the Minister will be able to deliver good news to the children and their families.

Mr Anderson: I have no doubt that the past Minister did, and the present Minister will, deliver as much of a first-class service as is practically possible. I know that Edwin Poots sent emails to some of those families with personal comments in them, he took that great an interest in the health of those kids. I spoke to those families, and they appreciated the efforts that Edwin had gone to to try to get it sorted out. I have every confidence that the Health Minister in place now will carry on in the same mode.

The new Minister and his predecessor have rightly said that they do not want a second-class service for parents and children in Northern Ireland. Families that I have met — two of them were at the meeting with the Minister yesterday — have raised a number of concerns. I trust that the Minister will take those issues that were noted

yesterday on board when the final arrangements are made.

It is crucial that high standards of care are maintained. I know that that was certainly the aim and objective of the international working group, chaired by Dr John Mayer from Boston Children's Hospital, which explored all options, not only talking to surgeons and medical staff but consulting widely with families. I place on record my sincere thanks to him for also doing that.

Families with vulnerable children must be placed at the centre of any decision-making process in order to achieve the highest standard of care and the best possible outcomes. That includes being able to offer the highest-skilled doctors, nurses and support staff possible. With that in mind, I welcome the inclusion of a robust family advisory group in the international working group's recommendations. The increased involvement of parents is crucial. Families want to see better liaison between them and the medical staff and more hands-on support in what is already an anxious time for anyone with a young child who suffers from congenital heart defects.

The report also highlights the huge benefits of a highly specialised team that would be developed between our health service and the Republic of Ireland's health service in order to maximise the level of provision we can give to our most vulnerable children and young people.

I commend the work of the Children's Heartbeat Trust across Northern Ireland in providing practical and personal support to those going through very anxious and difficult times with their children. I encourage it to keep up that good work. I would also like to thank Dr John Mayer and the international working group along with the previous Minister Edwin Poots and our current Health Minister, Jim Wells. In particular, I want to pay a special tribute to the ever-dedicated families. I cannot even begin to imagine what they go through every day. They have truly been inspirational throughout this long journey.

In closing, I trust that, as we move forward, the final arrangements will provide the highest standard of care for our children who suffer from congenital heart disease. I also hope and pray that proper and adequate support is given to the families of those children. I look forward to the Minister's comments later in the debate.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. Paediatric cardiac care, quite understandably, is a very emotive issue, and I do not envy Mr Wells in his task of dealing with the matter, nor did I envy his predecessor Mr Poots.

The issue has become central in political and media life because of the determination and dignity portrayed by parents of young children with heart defects. They have campaigned, quite understandably, for the retention of surgery in Belfast. The staff and surgeons in Belfast have given them both medical treatment and personal treatment to the highest levels over many years, and they deserve to be commended for that.

However, the realities of modern medicine have come to bear on the issue. The realities of modern medicine dictate many things. They dictate safety at the very core of delivery. I can understand parents wishing the service to be accessible and to be able to travel to Belfast for care, especially given the care that is received there, but when an international body of highly respected medical professionals tells you that, through no fault of anyone, in fairness — it is not a funding issue; it is not a reduction of services issue; it is not about cuts; it is no one's fault — that service can no longer continue safely, then, quite rightly, the Health Minister and everyone else have to sit up and listen.

7.15 pm

Mr Wells (The Minister of Health, Social Services and Public Safety): Will the Member give way?

Mr O'Dowd: Yes.

Mr Wells: Will the Member accept that this was the fourth report recommending the same policy change and that I was faced with a situation in which four totally different bodies, coming from totally different angles, had all reached the same conclusion, which is that we have to concentrate on Crumlin hospital and that therefore to do anything else would be totally negligent?

Mr O'Dowd: Yes. I spent several years as the party's health spokesperson. Now, it was in an era when we were all in opposition. There were direct rule Ministers here. You could call, lobby and demand for everything because there was no expense or responsibility connected to it. We are now in a different role. Through that period as health spokesperson, I did learn that, quite rightly, safety comes first. Medical experts will not go beyond that safety line.

The Minister is right that there have been four reports now telling him that these services should be delivered on an all-island basis. This is not a political issue. It is not about partition. It is nothing to do with anything other than the provision of safe, modern cardiac care to young children. That is what is at the centre of it.

I note that what is being proposed is going out to consultation; if I understood the Minister's statement this morning, there will be further consultation on this matter. There is a further opportunity. Key to this is to ensure that the parents, who have acted with such dignity throughout this time, are kept informed of every detail of the proposal, that clarity is given to them when it is required and that they are given to understand every aspect of the proposal moving forward with regard to which services will continue to be provided in Belfast, the surgery services that will be provided in Dublin, how those centres will be accessible to them as parents and family members and how they will be accommodated in those centres. There needs to be assurance that the centre that is being talked about in Dublin has the resources and facilities to carry out services —

Mrs Dobson: Will the Member give way?

Mr O'Dowd: I will in just one second. There needs to be assurance that the centre has the resources and facilities to carry out the additional work that will come its way.

Mrs Dobson: I thank the Member for giving way. Does he agree with me that very little clarity has been given to parents over the past three years and that there has been only false hope?

Mr O'Dowd: I will not get into a political wrangle about this. I have observed the issue as a Minister and as a constituency MLA. I have been lobbied by parents. I have noted their campaign, both at personal and public level. I

have seen the efforts of the previous Health Minister on the matter.

I suspect that there is some dissatisfaction among some parents that the decision has gone this way. But unless there is a medical reason not to follow the report, what we have to do now — I will wind up on this point — is ensure that the parents are given every shred of information they require on how this service will be rolled out and developed and that clarity is given. Where additional information or services are required, we have to fall in behind that and support that as well. Go raibh míle maith agat.

Mrs D Kelly: I join others in commending Mrs Dobson for securing the Adjournment debate. I think that she is right to note the coincidence of the statement and the Adjournment debate — nonetheless, whatever it takes to get the job done.

I think that we are all agreed that we want to work in the best interests of all our constituents. As Mr Anderson said, it is not just about children in Upper Bann; it is about children right across the North and their parents in particular. I join others in commending the parents and families and those who have lobbied so hard for so long. It is necessary that we have certainty and clarity on the issues and recommendations that are contained in the reports.

I know from experience that it is not just the parents of children who are currently ill but parents who have had the experience of having their children treated in Belfast who feel so passionately about the retention of services. I want to commend them for keeping with it and assisting those who have come after them. It is also right that we place on record, as the report does, that the strength and quality of the cardiology services that are provided in Belfast are second to none. The change being made is nothing to do with them in relation to the service. I think that it was Mr O'Dowd who said that it is about the safety and viability of the service.

We in the SDLP welcome today's announcement that child cardiac services will become part of an all-island initiative. We see it as a step in the right direction to providing clarity and certainty for parents and families. For too long, we were left in a state of limbo, not knowing whether or not children would have to continue to travel to England. It is much more satisfactory that they have much easier access, and hopefully less costly access, to services in Dublin.

I think I am right in saying that the consultation period is 12 weeks but the service level agreement with Dublin ends in 10 weeks. Perhaps the Minister will address the gap, of two weeks or whatever number of weeks, that might emerge as a consequence of the consultation and whether or not the current service level agreement will be extended. I see reference to that as one of the issues raised in today's media.

Today's report advances 14 recommendations, addressing key issues that would facilitate the transition of the service, including issues of transport, enhancing clinical services, taking on board families' concerns and implementing measures to deal with urgent emergency care. Some issues remain. Earlier today, the Minister pointed out the interdependency of the 14 recommendations, where full agreement across the board is required. I understand very clearly that we are very much in the early stages and there has yet to be full agreement and commitment on the resource timelines and service integration requirements by both Health Ministers and their respective Departments. I trust that Mr Wells has a good relationship with the Health Minister in the South and that they can very quickly come to a conclusion to inform parents.

At the end of the day, communication will be key. When you are ill, you do not really care where the service is, so long as you can get it — and get it when you need it, it is a good service and it has a good outcome for you or your loved one. I believe that that is the ambition of the provision of children's cardiac services and one that I hope will be at the centre of deliberations on the provision of services.

Mr Deputy Speaker, it is very difficult at the end of such a debate to add anything new, so I will finish by recognising that this has been doing the rounds for quite a long time. Members are quite right to point out that it is the fourth such report that has come to the same conclusion. I hope that the announcement is given a fair wind in relation to the consultation, and that we see an enhanced service provision and clarity given to families, because they have enough worry and anxiety dealing with a child who is sick, without having to worry about all the ancillary problems around transport, accommodation and accessibility.

Mr Swann: I know that the Adjournment debate is about Upper Bann, but, having declared the interest already, I think that most Members are fully aware of our personal condition, and I want to tie it in with tonight's Adjournment debate.

At less than 24 hours old, my son Evan was transferred from the maternity ward to the Paediatric Intensive Care Unit (PICU). If any of you have been in the children's hospital in Belfast, you will know that, just outside the PICU, there is a parent waiting room. I went in there, because my wife had just given birth and was not allowed to travel, and the first people I met were Julie Flaherty and her husband, Wayne. The support that those two individuals gave my wife and me through those first few hours and days, while Evan was in the PICU along with their son Jake, gave us the confidence and understanding that the surgery and support that Evan would receive in the unit would be second to none.

Mr Deputy Speaker, Jake did not survive to see the debate today. He passed away over a year ago now. However, Julie and Wayne, in memory of their son, keep this fight alive in their hearts, because they know the necessity of being able to support not just parents but children in an excellent facility in Belfast. From my involvement in this issue, it has not been about numbers. Unfortunately, the Safe and Sustainable review created the magical figure of 400, which nobody could stand over afterwards. The argument has been put forward that the practice has not been safe and that the surgeons have not been there. I appreciate what John said about the advancements in medicine. Nobody is arguing against their child receiving the proper medical service where it is available. The continual call from parents is to be close to home, to be supported close to home and to have that family circle. Dublin is a better alternative than Birmingham and Evelina. I do not think that anybody in this House will argue against that. Belfast is a better alternative.

A number of parents have raised queries in regard to the service level agreement. Mrs Kelly has already raised it, and I raised it this morning in Question Time. It comes to an end in 10 weeks' time at the end of December.

Mr Wells: Will the Member give way?

Mr Swann: Yes.

Mr Wells: Mrs Kelly raised the same point. The service level agreement will be continued past the end of the consultation period. There will be no change, no hiatus or two-week gap. It will just continue on well past the consultation period because, remember, we will still need time to look at the consultation responses. So, that will not cause any problems.

Mr Swann: I thank the Minister for his clarification. Will the service level agreement, which allows the Dublin surgeon to come to Belfast to perform those surgeries, continue for the 18-month period before we transfer our children's cardiac surgery to Dublin? Part of the frustration here, and it is a small line in his statement this morning, is that, from December 2014, more children will transfer to England for surgery. We are looking for the continuation of the small number of surgeries that have already taken place in Belfast, should it be catherisations or interventions.

During the 18-month period when we are sending more of our children to England, what will happen to our anaesthetists, our PICU nurses and all the supportive care workers who support those children and families? In the recommendations, I saw that, in 18 months' time, there will be a transfer of support workers. However, if they are not given the ability to keep their skills upgraded in the intervening 18-month period, there could be a complete deskilling of our staff in Belfast.

I do not think that we are under any illusion that surgery will miraculously appear back in Belfast; the parents are realistic about that. However, we want the best provision for our children. Tonight, even Dr Michael McBride talked about the period of uncertainty that there will be while this is all worked out. That is where the frustration comes in.

The point that I raised this morning about the individual care pathway for each child will give reassurance, if it can be established. That is a piece of work that should be done and can be done. Like Mr Anderson, I want to pay tribute to the parents who have fought this fight. Mr O'Dowd and my party colleague Jo-Anne Dobson acknowledged that it has been a noble, decent, clean campaign. It is something that they believed in, and they wanted the right outworkings. There has been no political point-scoring in it. It has been for the good of their children to receive a first-class service. There is no argument about that in any shape or form. That is what everybody wants, but it is the travelling and the support that has to be put in place. The establishment of that individual care pathway will go a long way to resolving a lot of those issues.

In finishing, there is an urban myth that, for the children's hospital to increase its ability to take the Northern Ireland patients in 18 months' time, Minister Varadkar is looking at a new-build children's hospital.

It is acknowledged in the Mayer report that there are problems with planning for that hospital in Dublin. A site has not been secured for the new children's hospital. If a new hospital in Dublin cannot be built to take our children in 18 months' time, what reassurances do we have beyond the recommendations and the hope to be there in 18 months' time? Without the upgrading of the facility, without those PICU beds, which are already at over 90% occupancy with the Republic's own children before we add another 250 surgeries a year, and without clarity on where the new build will be, how can we put our faith in it happening 18 months down the line? That is the question. There is no point scoring or trying to catch a Minister out here. It is parents wanting to know the answers to their detailed questions.

Mr Deputy Speaker, thank you for allowing me, a Member for North Antrim, to take part in this Adjournment debate. Going back to my initial point, I can honestly say that, without the support that parents from Upper Bann, especially Julie and Wayne Flaherty, gave us at the start, we would have found our direction of travel in what we had to go through an awful lot harder.

7.30 pm

Mr Wells: First, I thank Mrs Dobson, a Member for Upper Bann, for securing the debate. This is not a question of right or wrong; it is a question of two rights. It is not a black-and-white argument. When I first came to the issue, I thought that it would be very attractive to retain services in Belfast, but we need to look at some cold, hard statistics. In 2011-12, there were 140 surgical procedures involving children from Northern Ireland. Of those, 97 were carried out in Northern Ireland, 13 were carried out in Dublin and 40 were carried out in England. In 2012-13, 69 were carried out in Northern Ireland, 36 were carried out in the Republic and 37 were carried out in England, a total of —

Mr Swann: Will the Minister give way?

Mr Wells: Certainly.

Mr Swann: Minister, I appreciate your cold, hard statistics. I will point out that Evan William-Robert Swann, my son, is more than a cold, hard statistic. You said that this is not black and white. Please do not make the argument here tonight using statistics. Your predecessor was able to support the case. You have more in your speech here tonight than cold, hard statistics. For the families out there, I ask you to advance more than that argument.

Mr Wells: Yes indeed, there is much more to my speech than cold, hard statistics. The Member is across the statistics and has rightly taken a deep personal interest in the issue. However, it is only when you see where the statistics are taking us that you realise why we are in the position that we are in. Hopefully, none of this is revealing any personal information about any patient.

The reality is that, in the first five months of this year, only 12 procedures were undertaken in Northern Ireland, with four in Dublin and 58 in England. The total so far is 74. The reason why I make that point is that all the expertise tells me that we need at least 400 procedures in order to have a safe, sustainable service for our children, Unfortunately, even in the best year, we had 159 procedures, which is a long, long way short of 400. Those are the realities that we face. Indeed, in some years, the entire island of Ireland has just about enough procedures for a safe and sustainable service.

My difficulty, which I mentioned to Mr O'Dowd, is that I have had four separate reports by four separate bodies telling me that this is not safe. What do I do with my GCSE biology? Do I say that I know better, or do I listen to world authorities from places like Harvard and to the Chief Medical Officer, who tell me that we cannot continue in the way that we are going and we have to change? Which advice do I take? I am afraid that I am left in an extremely difficult position.

Frankly, it is a decision that I did not want to make. I would love to have come here this morning, this afternoon and this evening — the topic has been raised three times — and said that we have the numbers, the resources and the clinicians to run a full, sustainable service in Belfast. Nothing would have made me happier. However, the obvious fact is that everyone who looked at the issue has said that it just cannot be done. The honourable Member welcomed the international working group led by Dr Mayer and accepted that he is one of the world authorities on the issue. He works in Massachusetts, where he deals with this very issue of smaller congenital cardiac units, and he looked at this. The Member will see from the report, which I am certain that he has had a chance to look at briefly, that Dr Mayer is absolutely emphatic that we just cannot continue with the model that we have at the moment. There are all sorts of reasons for that, not only numbers. We cannot attract and retain the specialist surgeons that we will need —

Mrs Dobson: I thank the Minister for giving way. Is the Minister saying that, if more children in Northern Ireland had heart problems, he would be forced to deliver the surgery?

Mr Wells: I hate to mention statistics, because we are dealing with human beings — passionate, dedicated parents — but the demographers tell us that Northern Ireland will never have a sufficient number of children to guarantee that the service would be sustainable and would attract clinicians. The problem that we have is that these specialists can move freely across the world. We have difficulty attracting and retaining surgeons in many fields in Northern Ireland because of our size. It would not matter if I committed to the Clark clinic and surgery in Belfast. If I cannot attract and retain the expertise that the trust and I need to continue this surgery, we cannot provide the best service for our children in Northern Ireland. That leaves us with two choices: to send all our children to England — to Birmingham or London — or to concentrate an all-island service at a location that, I realise, will cause considerable difficulties but is preferable, as Mr Swann said, to having that service in England.

There is only a single service in the Irish Republic at the moment. Babies from places such as Kerry, Sligo and Waterford already travel longer distances than children from Northern Ireland would be expected to travel for the same service. I hate mentioning statistics, but the outcomes tell me that this is a safer model than the one that we have.

I accept that all sorts of allegations were made this morning that the coincidence of events happening today was a chance to stymie Mrs Dobson's debate. Nothing could be further from the truth. We have to work closely with the authorities in the Irish Republic and Minister Leo Varadkar. As it happens, he is new to office, and I am new to office. The dates on which we came into office are not that far apart. It has been difficult, in that situation, to get agreement on when the report would be published. We could not do a solo run. This is a joint approach by the two Governments, my Department and the HSE in the Irish Republic. We could not go on our own. I think that Mr Poots felt duty-bound to give some indication, but he was not in a position to publish the report — he could not. One of my first decisions was to issue a written statement to tell the public about the direction of travel, but we were not in a position until now to publish the report. That was not an attempt to undermine Mrs Dobson's debate, although I appreciate that she may have felt that it was.

We have the report, and it is emphatic and clear. No one has attempted to say that the Mayer report does not point us in this direction. The stats, unfortunately, tell us that there is only one route that we can go. I hope that I outlined this morning that we intend to build in safeguards to make absolutely certain that the transition is made without affecting the care of our very vulnerable and needy children. I have also indicated that there will be structures to make certain that the wishes of parents, North and South, are fully considered as we set up the new service. That has to be done. I, personally, intend to pledge myself to ensuring that that happens.

On the first Saturday after my appointment, I attended, with Mrs Dobson, a very moving event in Banbridge. I must say that I found that a difficult event. I met parents who had given their lives to looking after terribly vulnerable, ill young children. I met the parents of Grace McKee at that event, and I met them yesterday. I have nothing but admiration for these people and what they are doing. Therefore, it is absolutely vital that all of their experience at the coalface is taken into account and that we make certain that the move to Dublin, which looks likely to occur, gives rise to as few problems and practical difficulties as possible.

I must say that I am fully aware of the deep concerns felt by Members, patients and their families. I can place myself in your shoes, and I suspect that, if I were in your position, I would probably say the same. However, I have to take a decision in the Chamber that is best for all the children of Northern Ireland. Although I am a unionist and want to retain services in the United Kingdom and in Northern Ireland, I have to say that I am left with no option. My predecessor Edwin Poots, whom I have the highest regard for, wanted to publish the report as soon as possible, but we reached the situation where joint statements were made this morning.

As I said, I have experience of meeting many of the families, and I am well aware of their views. They also made representations to me in my position as Deputy Chair of the Health Committee. I do not want to repeat the debate that we had this morning. I made the oral statement about the international working group's proposed model and the way forward. However, I wish to restate that I am particularly pleased about the strong voice that it gives to families' representatives on both the governance vehicle and the family advisory group. I have met many of the parents, and not only are they deeply caring and loving — their children are very fortunate to have such wonderful parents — but they are very articulate. I have no doubt that, if we get this wrong, they will be beating on my door to tell us that that has happened. Therefore, they have a strong voice, and we want to utilise that. We believe that the proposals, if implemented, will empower the families in shaping the future service in a way that they could never have envisaged. It is something that is completely new.

I have listened to the speeches made by Members this evening and will respond to some of the points that have been raised. Mrs Dobson was her usual articulate self, and she raised a number of points that I want to deal with. First, recommendation 6 of the working group report is clear that there is a need to expand and upgrade the links between the Republic of Ireland and Belfast in paediatric cardiology

and to provide ongoing information and technological support. It specifically states that IT be targeted, and it is the view of the IWG that the infrastructure to support the remote acquisition of radiographic images already exists and there is a significant benefit to be had from utilisation of that infrastructure. That will be a key element in the model that is being taken forward.

Several Members raised the issue of the 18 months, and I hope that I have already indicated that the service-level agreement will continue. There is no intention of having any falling off the cliff edge as far as any of the service delivery is concerned. I am fully aware of the risks surrounding the 18-month period and how those skills will be implemented during it. It is essential that, during the transition, the skills be maintained, and my Department will work closely with the commissioners in Northern Ireland and the Republic of Ireland during that period. For example, we envisage that Belfast cardiologists will carry out interventional procedures in Dublin as early as possible in the new year.

Remember that some of the gentlemen and ladies who are experts in this field will simply carry on the same work in a different location. Remember that all those specialists have the same high level of training and work together. There is no form of closed shop between Northern Ireland and the Irish Republic in the field. Specialist paediatric cardiology skills will be retained and strengthened in Northern Ireland. I want to go further and say that that strengthening will make Belfast a centre of excellence for cardiology. I have asked the Health and Social Care Board to make investment proposals to secure that and strengthen the regional cardiac network at the same time. That will secure the specialist skills available in Belfast as we go forward to a single-service model. I am happy to reiterate my Department's commitment to investing in the service. One Member raised the issue —

Mr Deputy Speaker (Mr Dallat): Order. You will be happy to know, Minister, that you have gone three minutes over your time. I will allow you to finish, because it is important.

Mr Wells: Mr Deputy Speaker, you have been very generous.

Therefore, the commitment to the additional million pounds stands, and my door is open to anybody in the Chamber or any group that requires further clarification of the route on which we are travelling.

Adjourned at 7.44 pm.

Northern Ireland Assembly

Monday 20 October 2014

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

Members observed two minutes' silence.

Assembly Business

Standing Orders 10(2) to 10(4): Suspension

Mr Weir: I beg to move

> *That Standing Orders 10(2) to 10(4) be suspended for Monday 20 October 2014.*

Mr Campbell: On a point of order, Mr Deputy Speaker. It is not related to this item of business. It is not a challenge to the ruling at all but purely for clarity. Last Tuesday, the Principal Deputy Speaker announced the outcome of an investigation into the honourable Member for North Antrim Mr Allister and curtailed his oral contributions in the Chamber over the next few weeks. Just for clarity, I want to establish whether it is the intention of the ruling to prevent Mr Allister putting down incisive, forensic and analytical written questions like the ones he did about the cost and condition of mint imperials in the Chamber.

Mr Deputy Speaker (Mr Dallat): I understand that Mr Allister has been informed of what the situation is, and, yes, his speaking opportunities will be curtailed.

Before we proceed to the Question, I remind Members that this 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 Monday 20 October 2014.*

Ministerial Statement

North/South Ministerial Council: Agriculture

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a LeasCheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the 1998 Act regarding the 23rd meeting of the North/South Ministerial Council (NSMC) in the agriculture sector, which was held in Armagh on Wednesday 1 October. The Executive were represented by Minister Simon Hamilton and me, and the Dublin Government were represented by Simon Coveney TD, Minister in the Department of Agriculture, Food and the Marine (DAFM), and Alan Kelly TD, Minister in the Department of the Environment, Community and Local Government (DECLG).

I chaired the meeting on this occasion and have agreed the statement with the accompanying Minister, Minister Hamilton.

Ministers had a discussion on potential priorities for the agriculture sector and noted that those will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities.

On current sectoral priorities, Ministers noted the progress made in addressing key issues affecting the beef sector and agreed to continue to work together to secure a sustainable beef industry in both jurisdictions.

The Council noted that implementation plans have been adopted by DAFM and DARD for the common agricultural policy reforms agreed in 2013. Ministers agreed that officials from DAFM and DARD will monitor the development of the implementation process for pillar I and pillar 2 decisions. Ministers also noted that both Administrations are in the process of seeking approval from the European Commission for their respective rural development programmes 2014-2020, with DAFM having submitted its draft programme in July 2014 and DARD due to submit its programme later this month.

Ministers noted that DARD and DAFM have developed a protocol for the cross-border movement of larch logs infected with Phytophthora ramorum. It was noted that an all-Ireland Chalara/ash dieback conference took place in May 2014 and that DARD and DAFM are in the process of summarising stakeholders' responses to key questions. That should assist in informing future policy development.

Ministers welcomed the continued work on the delivery of the all-island animal health and welfare strategy action plan, including the completed review of common

disease surveillance priorities and the commitment to cooperation in areas of mutual benefit; the agreement by DARD and DAFM of a common chapter dealing with control arrangements for African horse sickness; the coming into operation of the Welfare of Animals at the Time Of Killing Regulations 2014; the progress made by DARD towards officially brucellosis-free (OBF) status, with DAFM now considering an appropriate OBF monitoring regime following the expiry of the mandatory five years; the progress made by DAFM officials to develop a code of practice for wild animals in circuses; and the achievement of an agreement in principle to a joint contingency approach on rendering facilities.

Ministers agreed the provision of proactive support by DARD and DECLG for LEADER cooperation activities, including a specific focus on North/South cooperation. The Council welcomed the intention of the steering committee on cross-border rural development to proactively promote the development of rural recreation as a key driver in successful rural regeneration. It noted that the rural development projects funded through EU INTERREG IVa are nearing completion and that a synopsis of the impacts and achievements of the rural development theme will be presented to the Council at a future meeting.

Ministers welcomed an event taking place later that day to mark the success of the Clones Erne East Blackwater project and the redevelopment of the canal stores building.

The NSMC approved the appointment of Mr Raymond Dolan as the new chief executive officer of the Food Safety Promotion Board (FSPB) with effect from 1 October. The Council also approved the appointment of Ms Margaret Hearty as acting CEO of the Trade and Business Development Body — InterTradeIreland — on an interim basis.

The Council agreed to hold the next agriculture sector meeting in spring 2015.

Mr Deputy Speaker (Mr Dallat): Before calling the next Member to speak, I welcome Mr Maurice Devenney as a new Member for the DUP. I had the opportunity to meet Maurice earlier when he signed in. I hope that you have a long and happy career in the Northern Ireland Assembly.

Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for her statement. She referred to the key issues affecting the beef sector and said that there is an agreement to work together to secure a sustainable beef industry. Will the Minister expand on that, please?

Mrs O'Neill: There are current and real issues affecting the beef sector, and the Member will be acutely aware of the issue of nomadic cattle. We had quite a lengthy discussion on how we can work together on that issue. From the discussion, it was very clear that we need to engage continually with the retailers to accept such cattle. It is a long tradition of trade right across the island. We have agreed to hold a number of meetings with the Retail Consortium to discuss those issues. I have agreed a voluntary label, and we want the industry to accept that. We are awaiting some more confirmation on some more discussions on that. The principal underlying issue affecting the beef sector is profitability. Even when prices were good, profitability was still an issue. There are real issues to tackle, and I look forward to being able to work with Minister Coveney, particularly on our new rural development programmes and on how we can support the beef sector in particular through all the programmes that we have outlined.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. Minister, you referred to the development of a code of practice for wild animals in circuses. Will you outline what progress has been made to date?

Mrs O'Neill: I am keen to take that forward. We have set up a working group to look at the issue. As I have said previously, it is important to note that there are no circuses based here; however, there are circuses in the Twenty-six Counties that travel, and it is important that we work together to agree a clear protocol and have that in place. To date, DARD has agreed a protocol with DAFM that provides for an inspection of animals from those registered circuses before they move back into the Twenty-six Counties. I have raised the issue of wild animals in travelling circuses over the last number of NSMC meetings, and we have had regular updates from officials. Our officials continue to work within the auspices of the North/South animal welfare and transport working group. Officials will report back to Minister Coveney and to me when they have considered all of the information available to them, but we are making progress towards having a protocol and ensuring that we are providing inspection. DARD will provide that inspection where it is needed.

Mr Byrne: I thank the Minister for her statement. Will she further enlighten us on what progress has been made on the beef situation? Is legislation being seriously considered to provide cost-of-production pricing plus some profit margin for farmers? She will be aware that there are some lobbying groups who want legislation, and they want this Assembly to deal directly with Brussels in order to see what can be explored in that regard.

Mrs O'Neill: Absolutely. I support that principle in concept, and I am aware of the lobby. We are trying to scope out what we can do. I am very happy to go to Brussels and ask for a change in legislation where needed. The core issue affecting the beef sector is the fact that it is not profitable. Even when prices were high, profitability was an issue. That is what we need to grasp and tackle. We need to have a serious focus on the issue of efficiency in the beef sector. The core of the new rural development programme will be the new grants schemes and such, and we need to put a lot of emphasis and effort on supporting the beef sector so that it can become more efficient and profitable as a result.

Mrs Dobson: I also thank the Minister for her statement. I noted with interest the reference to circus animals, as was pointed out by Oliver McMullan, but will the Minister expand on what is meant by:

> *"agreement, in principle, to a joint contingency approach on rendering facilities."?*

Furthermore, what agreement has been made?

Mrs O'Neill: It means just what it says; that we have agreed, in principle, for officials to do the work and bring forward proposals for us to be able to have plans in place when we come to deal with rendering facilities. Really, that is what it is: there is political agreement for that to happen. Officials have been tasked to go ahead and do the homework on it and then bring that work to the next NSMC meeting.

Mr McCarthy: I thank the Minister for her statement this morning. Her statement references the all-Ireland ash die-back conference, which took place in May 2014. Will the Minister advise the Assembly whether this disease has been overcome throughout the island and whether an assessment has been made of the financial cost to both parts of the island as a result of that disease?

Mrs O'Neill: It certainly has not been overcome, and we continue to deal with it. We have a strategy across the island to work together and to tackle it. One benefit of that strategy is that it is moveable, depending on the disease status and how things change. We continue to put significant resources into tackling the outbreak of P ramorum. Tree disease is high up the agenda in the work that the Forest Service is taking forward. Forest Service also works very closely on the ground with, and is very dependent on the cooperation of, landowners. We are very grateful for that cooperation. I do not have the figures, but there is a cost there in revenue loss, and I am happy to provide that to the Member in writing.

Mr Buchanan: I also thank the Minster for her statement. In her response to the Chair of the Committee, she mentioned nomadic cattle. When will this matter be resolved, as it is a huge issue for the beef finishers here in Northern Ireland?

12.15 pm

Mrs O'Neill: I am very keen for it to be resolved ASAP. For my part, I have done what I can do, which was to approve a voluntary label. It is now in the hands of the industry as to whether it accepts that label. I have made it very clear to all the big players that I want the label. The label is acceptable and is fully compliant with EU legislation. It is now up to them to accept it. Minister Coveney and I are meeting the key retailers to ask them to accept the approved voluntary label.

As I said, there has been a long tradition of trade, and quite a number of cattle have been traded in that way over the years. We do not want to disrupt that trade, so I am very keen to get it resolved ASAP.

Mr Poots: I see that you discussed animal disease at the North/South Ministerial Council meeting. What are the figures for TB in the Republic of Ireland and Northern Ireland? What is the comparison? What steps are they taking in the Republic of Ireland and what can we learn from them to eradicate and reduce TB in Northern Ireland?

Mrs O'Neill: That is a regular item for discussion at NSMC meetings. I do not have the figures for their levels of TB, but I can tell you what our figures are. I am glad to say that our stats are on a downwards trend. We went from about 7·46% last year to just over 6% this year. So, there certainly has been progress, and hopefully that downward trend will continue.

I suppose that we approach things differently. The South culls in certain areas. That is obviously not the route that I have taken, although I know that there are some out there who would like that to be the case. We have set up the TB strategic partnership group, which has been tasked with the development of a comprehensive and practical strategy and an implementation plan to secure the progressive reduction of disease levels and the associated costs. We also have our EU eradication plan, which is worth about £5 million. So, a lot of work is going on.

I do not have the figures for the levels in the South, but I am very happy to provide that information to the Member in writing. However, it is suffice to say that having a different disease status affects trade across the island. I intend to have the same disease status across the island for TB and other diseases. We are getting there with brucellosis and hope to have our stat-free status next year. We have a way to go with TB, but it is a priority to drive it out in as quickly a manner as possible.

Mr Elliott: I thank the Minister for her brief statement. She mentioned the Clones Erne East Blackwater project. What stage is the section of the Ulster canal project at? I think that funding from the Irish Government for that has been agreed or, at least, promised, but that does not seem to have progressed.

Mrs O'Neill: I do not have the detail of that here, but there will certainly be opportunities to look at that type of project under the next rural development programme. I think that there will be funding opportunities. One of the areas that we discussed with the new Minister who is in charge of rural development in the South, Minister Kelly, was a potential strategic project. I am certainly up for playing my role to make sure that we can restore the canal to its former glory.

Assembly Business

New Assembly Member: Mr Maurice Devenney

Mr Deputy Speaker (Mr Dallat): Before we continue with today's business, I wish to inform the House that I have been informed by the Chief Electoral Officer that Mr Maurice Devenney has been returned as a Member of the Assembly for the Foyle constituency to fill the vacancy resulting from the resignation of Mr William Hay. This morning, Mr Devenney signed the Roll of Membership and entered his designation in my presence and that of the Clerk to the Assembly. Mr Devenney has taken his seat. I again welcome him to the Assembly and wish him every success.

Private Members' Business

Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: Consideration Stage

Mr Deputy Speaker (Mr Dallat): I call the Lord Morrow to move the Consideration Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.

Moved. — [Lord Morrow.]

Mr Deputy Speaker (Mr Dallat): 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 offences and penalties. This group comprises amendment Nos 1 through to 23, and amendment Nos 27, 40, 50, 60 and 61 as well as opposition to clauses 1, 2, 4 and 5 standing part.

The group 2 debate will be on amendment Nos 24 to 26 and 62 and opposition to clauses 7 and 15 standing part. This group deals with strategy and prevention.

The third debate deals with paying for sexual services. This group is made up of amendment Nos 28 to 39 and opposition to clause 6 standing part.

Group 4 deals with assistance, support and protection for victims of human trafficking and assistance for those wishing to exit prostitution. The debate will be on amendment Nos 41 to 49, 51 to 53 and opposition to clauses 8, 9, 10, 12 and 14 standing part.

The group 5 technical and commencement debate will be on amendment Nos 54 to 59, 63 and 64 and opposition to clauses 17 and 18 standing part.

I remind Members who intend 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 the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill.

If that is clear, we shall proceed.

Clause 1 (Definition of human trafficking and slavery offences)

Mr Deputy Speaker (Mr Dallat): We now come to the first group for debate, which concerns amendment Nos 1 to 23, and amendment Nos 27, 40, 50, 60 and 61 as well as opposition to clauses 1, 2, 4 and 5 standing part. These amendments provide for new offences, penalties and minimum sentencing in relation to human trafficking, slavery and exploitation. A new offence of forced marriage is also included.

Members will note that amendment Nos 1 to 4 are mutually exclusive with clause 1 standing part; amendment Nos 3 to 6, 12, 15, 21 to 23, 27 and 50 are consequential to amendment Nos 1 and 2; amendment No 18 is

consequential to amendment No 17; amendment No 60 is consequential to amendment No 22; and amendment No 61 is consequential to amendment Nos 1, 2, 4 and 23.

I call Lord Morrow to address his opposition to clause 1 and to address the other oppositions and amendments in the group.

Question proposed, That the clause stand part of the Bill.

The following amendments stood on the Marshalled List:

No 1: After clause 1 insert

*"**Slavery, servitude and forced or compulsory labour***

***1A**.—(1) A person ("A") commits an offence if—*

(a) A holds another person ("B") in slavery or servitude and the circumstances are such that A knows or ought to know that B is held in slavery or servitude, or

(b) A requires B to perform forced or compulsory labour and the circumstances are such that A knows or ought to know that B is being required to perform forced or compulsory labour.

(2) In subsection (1) the references to holding B in slavery or servitude or requiring B to perform forced or compulsory labour are to be construed in accordance with Article 4 of the Human Rights Convention.

(3) In determining whether B is being held in slavery or servitude or required to perform forced or compulsory labour regard may be had to all the circumstances.

(4) In particular, regard may be had to any of B's personal circumstances which may make B more vulnerable than other persons such as, for example—

(a) that B is a child or a vulnerable adult; or

(b) that A is a member of B's family.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.".— [Lord Morrow.]

No 2: After clause 1 insert

*"**Human trafficking***

***1B**.—(1) A person ("A") commits an offence if A arranges or facilitates the travel of another person ("B") with a view to B being exploited.*

(2) A may in particular arrange or facilitate B's travel by recruiting B, transporting or transferring B, harbouring or receiving B, or transferring or exchanging control over B.

(3) A arranges or facilitates B's travel with a view to B being exploited only if—

(a) A intends to exploit B (in any part of the world) during or after the travel, or

(b) A knows or ought to know that another person is likely to exploit B (in any part of the world) during or after the travel.

(4) "Travel" means—

(a) arriving in, or entering, any country,

(b) departing from any country,

(c) travelling within any country.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person to whom this subsection applies commits an offence under this section regardless of—

(a) where the arranging or facilitating takes place, or

(b) where the travel takes place.

(7) Any other person commits an offence under this section if—

(a) any part of the arranging or facilitating takes place in the United Kingdom, or

(b) the travel consists of arrival in or entry into, departure from, or travel within the United Kingdom.

(8) Subsection (6) applies to—

(a) a UK national;

(b) a person who at the time of the offence was habitually resident in Northern Ireland; and

(c) a body incorporated under the law of a part of the United Kingdom.

(9) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.".— [Lord Morrow.]

No 3: After clause 1 insert

*"**Meaning of exploitation for purposes of section 1B***

***1C**.—(1) For the purposes of section 1B, a person is exploited only if one or more of the following subsections apply in relation to the person.*

Slavery, servitude and forced or compulsory labour

(2) The person is the victim of behaviour—

(a) which involves the commission of an offence under section 1A, or

(b) which would involve the commission of an offence under that section if it took place in Northern Ireland.

Sexual exploitation

(3) Something is done to or in respect of the person—

(a) which involves the commission of an offence under—

(i) Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs of children), or

(ii) any provision of the Sexual Offences (Northern Ireland) Order 2008 (sexual offences), or

(b) which would involve the commission of such an offence if it were done in Northern Ireland.

Removal of organs etc.

(4) The person is encouraged, required or expected to do anything—

(a) which involves the commission, by him or her or another person, of an offence under section 32 or 33 of the Human Tissue Act 2004 (prohibition of commercial dealings in organs and restrictions on use of live donors) in Northern Ireland, or

(b) which would involve the commission of such an offence, by him or her or another person, if it were done in Northern Ireland.

Securing services etc. by force, threats or deception

(5) The person is subjected to force, threats, abduction, coercion, fraud or deception designed to induce him or her—

(a) to provide services of any kind,

(b) to provide another person with benefits of any kind, or

(c) to enable another person to acquire benefits of any kind;

and for the purposes of this subsection "benefits" includes the proceeds of forced begging or of criminal activities.

Securing services etc. from children and vulnerable persons

(6) Another person uses or attempts to use the person for a purpose within paragraph (a), (b) or (c) of subsection (5), having chosen him or her for that purpose on the grounds that—

(a) he or she is a child or a vulnerable adult or is a member of the other person's family or the other person is in a position of trust in relation to him or her; and

(b) a person who was not within paragraph (a) would be likely to refuse to be used for that purpose."— [Lord Morrow.]

No 4: After clause 1 insert

*"**Committing offence with intent to commit offence under section 1A or 1B***

***1D**.—(1) A person commits an offence under this section if the person commits any offence with the intention of committing an offence under section 1A or 1B (including an offence committed by aiding, abetting, counselling or procuring an offence under that section).*

(2) A person guilty of an offence under this section is (unless subsection (3) applies) liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding 10 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(3) Where the offence under this section is committed by kidnapping or false imprisonment, a person guilty of that offence is liable, on conviction on indictment, to imprisonment for life.".— [Lord Morrow.]

No 5: After clause 2 insert

"Sentencing for offences under section 1A or 1B

Offences to be serious offences for purposes of sentencing

***2A**.—(1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.*

(2) In Schedule 1 (serious offences for purposes of sentencing dangerous offenders) after paragraph 31 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under—

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking).".

(3) In Part 1 of Schedule 2 (specified violent offences for purposes of sentencing dangerous offenders) after paragraph 31 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under—

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking) which is not within Part 2 of this Schedule.".

(4) In Part 2 of Schedule 2 (specified sexual offences for purposes of sentencing dangerous offenders) after paragraph 14 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

"14A. An offence under section 1B (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 1C(3) of that Act (sexual exploitation)."".— [Mr Ford (The Minister of Justice).]

No 6: In clause 3, page 2, line 9, leave out

"a human trafficking offence or a slavery offence"

and insert

"an offence under section 1A or 1B".— [Lord Morrow.]

No 7: In clause 3, page 2, line 13, leave out "family member" and insert "member of the family".— *[Lord Morrow.]*

No 8: In clause 3, page 2, line 15, leave out "a victim who was".— *[Lord Morrow.]*

No 9: In clause 3, page 2, line 17, leave out "the victim's family" and insert

"a member of the family of the victim".— [Lord Morrow.]

No 10: In clause 3, page 2, line 19, leave out "offence" and insert "offender".— *[Lord Morrow.]*

No 11: In clause 3, page 2, line 21, leave out

"was committed by use of serious violence or".— [Lord Morrow.]

No 12: In clause 3, page 2, leave out line 24 and insert

"—

(i) of an offence under section 1A or 1B;

(ii) of an offence under any provision repealed by this Act;

(iii) in respect of anything done outside Northern Ireland which was not an offence mentioned in paragraph (i) or (ii) but would have been such an offence if done in Northern Ireland.".— [Lord Morrow.]

No 13: In clause 3, page 2, leave out lines 26 and 27 and insert

"'"public official" means—

(a) a member of the Northern Ireland civil service or the United Kingdom civil service;

(b) a person employed by a body established by an Act of Parliament or by Northern Ireland legislation;

(c) the holder of an office established by an Act of Parliament or by Northern Ireland legislation;

(d) a police officer;".— [Lord Morrow.]

No 14: In clause 3, page 2, leave out lines 30 to 34.— *[Lord Morrow.]*

No 15: In clause 4, page 2, line 36, leave out

"a human trafficking offence or a slavery offence"

and insert

"an offence under section 1A or 1B.".— [Lord Morrow.]

No 16: In clause 4, page 2, line 37, at end insert

"and that individual was aged 18 or over when the offence was committed".— [Lord Morrow.]

No 17: In clause 4, page 2, line 41, at end insert

"(2A) If there are exceptional circumstances which justify—

(a) the imposition of a lesser sentence than that provided for under subsection (2); or

(b) the exercise by the court of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968;

the court shall state in open court that it is of the opinion that such exceptional circumstances exist and the reasons for that opinion.".— [Lord Morrow.]

No 18: In clause 4, page 2, line 41, at end insert

"(2B) Where subsection (3) applies the Chief Clerk shall record both the opinion of the court that exceptional circumstances exist and the reasons stated in open court which justify either the imposition of a lesser sentence or the exercise of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968 as the case may be.".— [Lord Morrow.]

No 19: In clause 4, page 2, line 41, at end insert

"(2C) For the purposes of subsection (2) the words "custodial sentence" shall not include a sentence in relation to which the court has made an order under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968.".— [Lord Morrow.]

No 20: In clause 4, page 2, line 41, at end insert

"(2D) In section 36 (review of sentencing) of the Criminal Justice Act 1988 in subsection (9)(b) omit the 'and' at the end of the subsection and after subsection (9)(c) insert—

"and

(d) subsection (2)(b) shall be read as if it included a reference to a sentence required by section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

(2E) The Criminal Justice (Northern Ireland) Order 1996 is amended as follows—

(a) in Article 2(9) (interpretation of references to sentences falling to be imposed under various statutory provisions) after "2006" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014";

(b) in each of —

(i) Article 4(1) (power to discharge defendant except in specified circumstances),

(ii) Article 10(1) (power to impose probation order except in specified cases),

(iii) Article 13(1) (power to impose community service order except in specified cases),

(iv) Article 15(1) (power to impose combination order except in specified circumstances),

after "2008" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014".

(2F) In the Criminal Justice (Northern Ireland) Order 2008—

(a) in Article 5 (restrictions on imposing certain custodial sentences) in paragraph (1)(b) omit "or" at the end add of paragraph (ii) and after paragraph (iii) add—

"or

(iv) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.";

(b) in Article 7 (length of custodial sentence) in paragraph (3) at the end add—

"(c) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".".— [Lord Morrow.]

No 21: After clause 5 insert

"Orders that may be made on conviction of offence under section 1A or 1B

Confiscation of assets

***5A**.—(1) Schedule 5 to the Proceeds of Crime Act 2002 (criminal lifestyle offences in Northern Ireland) is amended as follows.*

(2) After paragraph 3 insert—

"Slavery, etc.

3A. An offence under section 1A of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude and forced or compulsory labour)."

(3) In paragraph 4 (people trafficking) at the end insert—

"(4) An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (human trafficking).".".— [Mr Ford (The Minister of Justice).]

No 22: After clause 5 insert

"Detention and forfeiture of certain vehicles, ships and aircraft

***5B**.Schedule 1 (which makes provision for, and in connection with, the detention and forfeiture of certain vehicles, ships and aircraft used or intended to be used in connection with offences under section 1A or 1B) has effect.".— [Mr Ford (The Minister of Justice).]*

No 23: After clause 5 insert

"Slavery and trafficking reparation orders

***5C**.Schedule 2 (which makes provision for, and in connection with, slavery and trafficking reparation orders) has effect.".— [Mr Ford (The Minister of Justice).]*

No 27: After clause 5 insert

"Investigation and prosecution of offences under section 1A or 1B

***5G**.—(1) The investigation or prosecution of an offence under section 1A or 1B is not dependent on the victim reporting the offence or accusing a person of committing the offence.*

(2) Proceedings for an offence under section 1A or 1B may be commenced or continued even if the victim of the offence has withdrawn any statement made in relation to the offence.".— [Mr Ford (The Minister of Justice).]

No 40: After clause 6 insert

"Offence of forced marriage

Offence of forced marriage

***6B**.—(1) A person commits an offence if he or she—*

(a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into a marriage, and

(b) believes, or ought reasonably to believe, that the conduct may cause the other person to enter into the marriage without free and full consent.

(2) It is irrelevant whether the conduct mentioned in paragraph (a) of subsection (1) is directed at the victim of the offence under that subsection or another person.

(3) In relation to a victim who is incapable of consenting by reason of mental disorder, the offence under subsection (1) is capable of being committed by any conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).

(4) In this section—

"marriage" means any religious or civil ceremony of marriage (whether or not legally binding);

"mental disorder" has the meaning given by the Mental Health (Northern Ireland) Order 1986.

(5) A person commits an offence if he or she—

(a) practises any form of deception with the intention of causing another person to leave the United Kingdom, and

(b) intends the other person to be subjected to conduct outside the United Kingdom that is an offence under subsection (1) or would be an offence under that subsection if the victim were in Northern Ireland.

(6) A person commits an offence under subsection (1) or (5) only if, at the time of the conduct or deception—

(a) the person or the victim or both of them are in Northern Ireland,

(b) neither the person nor the victim is in Northern Ireland but at least one of them is habitually resident in Northern Ireland, or

(c) neither the person nor the victim is in the United Kingdom but at least one of them is a UK national.

(7) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.".— [Mr Hamilton (The Minister of Finance and Personnel).]

No 50: In clause 13, page 8, line 7, leave out "a human trafficking offence" and insert

"an offence under section 1A or 1B".— [Lord Morrow.]

No 60: After clause 19 insert

'SCHEDULES

SCHEDULE 1

DETENTION AND FORFEITURE OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

FORFEITURE ON CONVICTION OF OFFENCE UNDER SECTION 1A OR 1B

1.—(1) This paragraph applies if a person is convicted of an offence under section 1A or 1B.

(2) The court may order the forfeiture of a land vehicle used or intended to be used in connection with the offence if the convicted person—

(a) owned the vehicle at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the vehicle,

(c) was at that time in possession of the vehicle under a hire-purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the vehicle under a hire-purchase agreement, or

(e) was driving the vehicle in the course of the commission of the offence.

(3) The court may order the forfeiture of a ship or aircraft used or intended to be used in connection with the offence if the convicted person—

(a) owned the ship or aircraft at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the ship or aircraft,

(c) was at that time in possession of the ship or aircraft under a hire purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the ship or aircraft under a hire-purchase agreement,

(e) was at that time a charterer of the ship or aircraft, or

(f) committed the offence while acting as captain of the ship or aircraft.

(4) But where sub-paragraph (3)(a) or (b) does not apply to the convicted person, forfeiture of a ship or aircraft may be ordered only if sub-paragraph (5) applies or—

(a) in the case of a ship (other than a hovercraft), its gross tonnage is less than 500 tons;

(b) in the case of an aircraft, the maximum weight at which it may take off in accordance with its certificate of airworthiness is less than 5,700 kilogrammes.

(5) This sub-paragraph applies where a person who, at the time the offence was committed—

(a) owned the ship or aircraft, or

(b) was a director, secretary or manager of a company which owned it,

knew or ought to have known of the intention to use it in the course of the commission of an offence under section 1A or 1B.

(6) Where a person who claims to have an interest in a land vehicle, ship or aircraft applies to a court to make representations about its forfeiture, the court may not order its forfeiture without giving the person an opportunity to make representations.

DETENTION OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

2.—(1) If a person ("P") has been arrested for an offence under section 1A or 1B, a constable may detain a relevant land vehicle, ship or aircraft.

(2) A land vehicle, ship or aircraft is relevant if the constable has reasonable grounds to believe that an order for its forfeiture could be made under paragraph 1 if P were convicted of the offence.

(3) The land vehicle, ship or aircraft may be detained—

(a) until a decision is taken as to whether or not to charge P with the offence,

(b) if P has been charged, until P is acquitted, the charge against P is dismissed or the proceedings are discontinued, or

(c) if P has been charged and convicted, until the court decides whether or not to order forfeiture of the vehicle, ship or aircraft.

(4) A person (other than P) may apply to the court for the release of the land vehicle, ship or aircraft on the grounds that the person—

(a) owns the vehicle, ship or aircraft,

(b) was, immediately before the detention of the vehicle, ship or aircraft, in possession of it under a hire-purchase agreement, or

(c) is a charterer of the ship or aircraft.

(5) The court to which an application is made under sub-paragraph (4) may, if satisfactory security or surety is tendered, release the land vehicle, ship or aircraft on condition that it is made available to the court if—

(a) P is convicted, and

(b) an order for its forfeiture is made under paragraph 1.

(6) In this paragraph "the court" means—

(a) if P has not been charged, or P has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;

(b) if P has been charged and proceedings for the offence have begun to be heard, the court hearing the proceedings.

INTERPRETATION

3.—(1) In this Schedule—

"captain" means master (of a ship) or commander (of an aircraft);

"land vehicle" means any vehicle other than a ship or aircraft;

"ship" includes every description of vessel (including a hovercraft) used in navigation.

(2) In this Schedule a reference to being an owner of a vehicle, ship or aircraft includes a reference to being any of a number of persons who jointly own it.".— [Mr Ford (The Minister of Justice).]

No 61: After clause 19 insert

"SCHEDULE 2

SLAVERY AND TRAFFICKING REPARATION ORDERS

POWER TO MAKE SLAVERY AND TRAFFICKING REPARATION ORDER

1.—(1) The Crown Court may make a slavery and trafficking reparation order against a person if—

(a) the person has been convicted of an offence under section 1A, 1B or 1D, and

(b) the Crown Court makes a confiscation order against the person in respect of the offence.

(2) The Crown Court may also make a slavery and trafficking reparation order against a person if—

(a) by virtue of section 178 of the Proceeds of Crime Act 2002 (defendants who abscond during proceedings) it has made a confiscation order against a person in respect of an offence under section 1A, 1B or 1D, and

(b) the person is later convicted of the offence.

(3) The court may make a slavery and trafficking reparation order against the person in addition to dealing with the person in any other way (subject to paragraph 3(1)).

(4) In a case within sub-paragraph (1) the court may make a slavery and trafficking reparation order against the person even if the person has been sentenced for the offence before the confiscation order is made.

(5) In determining whether to make a slavery and trafficking reparation order against the person the court must have regard to the person's means.

(6) If the court considers that—

(a) it would be appropriate both to impose a fine and to make a slavery and trafficking reparation order, but

(b) the person has insufficient means to pay both an appropriate fine and appropriate compensation under such an order,

the court must give preference to compensation (although it may impose a fine as well).

(7) In any case in which the court has power to make a slavery and trafficking reparation order it must—

(a) consider whether to make such an order (whether or not an application for such an order is made), and

(b) if it does not make an order, give reasons.

(8) In this paragraph—

(a) "confiscation order" means a confiscation order under section 156 of the Proceeds of Crime Act 2002;

(b) a confiscation order is made in respect of an offence if the offence is the offence (or one of the offences) concerned for the purposes of Part 4 of that Act.

EFFECT OF SLAVERY AND TRAFFICKING REPARATION ORDER

2.—(1) A slavery and trafficking reparation order is an order requiring the person against whom it is made to pay compensation to the victim of a relevant offence for any harm resulting from that offence.

(2) "Relevant offence" means—

(a) the offence under section 1A, 1B or 1D of which the person is convicted;

(b) any other offence under section 1A, 1B or 1D which is taken into consideration in determining the person's sentence.

(3) The amount of the compensation is to be such amount as the court considers appropriate having regard to any evidence and to any representations made by or on behalf of the person or the prosecutor, but subject to sub-paragraph (4).

(4) The amount of the compensation payable under the slavery and trafficking reparation order (or if more than one order is made in the same proceedings, the total amount of the compensation payable under those orders) must not exceed the amount the person is required to pay under the confiscation order.

(5) In determining the amount to be paid by the person under a slavery and trafficking reparation order the court must have regard to the person's means.

(6) A slavery and trafficking reparation order is enforceable in the same manner as any fine which has been, or might have been, imposed in respect of the offence for which the person has been convicted by the court making the order.

(7) In sub-paragraph (4) "the confiscation order" means the confiscation order within paragraph 1(1)(b) or (2)(a) (as the case may be).

SUPPLEMENTARY

3.—(1) A slavery and trafficking reparation order and a compensation order under Article 14 of the Criminal Justice (Northern Ireland) Order 1994 may not both be made in respect of the same offence.

(2) Where the court makes a slavery and trafficking reparation order as mentioned in paragraph 1(4), for the purposes of the following provisions the person's sentence is to be regarded as imposed or made on the day on which the order is made—

(a) section 16(1) of the Criminal Appeal (Northern Ireland) Act 1980 (time limit for notice of appeal or application for leave to appeal);

(b) paragraph 1 of Schedule 3 to the Criminal Justice Act 1988 (time limit for notice of application for leave to refer a case under section 36 of that Act).

(3) Articles 15 to 17 of the Criminal Justice (Northern Ireland) Order 1994 (appeals, review etc. of compensation orders) apply to slavery and trafficking reparation orders as if—

(a) references to a compensation order were references to a slavery and trafficking reparation order;

(b) references to injury, loss or damage were references to harm;

(c) in Article 16(a) (as amended by Schedule 4) for sub-paragraph (ii) there were substituted—

"(ii) a compensation order under Article 14 of this Order; or";

(d) in Article 17 the references to service compensation orders or awards were omitted.

(4) If under section 171 or 172 of the Proceeds of Crime Act 2002 the court varies a confiscation order so as to increase the amount required to be paid under that order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order so as to increase the amount required to be paid under the slavery and trafficking reparation order.

(5) If under section 173 or 179 of that Act the court varies a confiscation order so as to reduce the amount required to be paid under that order, it may also—

(a) vary any relevant slavery and trafficking reparation order so as to reduce the amount which remains to be paid under that order;

(b) discharge any relevant slavery and trafficking reparation order.

(6) If under section 174 of that Act the court discharges a confiscation order, it may also discharge any relevant slavery and trafficking reparation order.

(7) For the purposes of sub-paragraphs (5) and (6) a slavery and trafficking reparation order is relevant if it is made by virtue of the confiscation order and some or all of the amount required to be paid under it has not been paid.

(8) If on an appeal under section 181 of the Proceeds of Crime Act 2002 the Court of Appeal—

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order;

(c) makes a confiscation order, it may make any slavery and trafficking reparation order the Crown Court could have made if it had made the confiscation order.

(9) If on an appeal under section 183 of that Act the Supreme Court—

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order.

(10) For the purposes of this paragraph—

(a) a slavery and trafficking reparation order made under paragraph 1(1) is made by virtue of the confiscation order within paragraph 1(1)(b);

(b) a slavery and trafficking reparation order made under paragraph 1(2) is made by virtue of the confiscation order within paragraph 1(2)(a).".— [Mr Ford (The Minister of Justice).]

Lord Morrow: Before I come to speak to the relevant amendments in this group, I want to open with some preliminary remarks about the purpose of my Bill.

The Bill has been long in the making and no one knows that better than the one who is speaking. The first consultation on the Human Trafficking and Exploitation Bill was launched in August 2012, and it has taken over two years for us to get to this stage. I have listened to and engaged with a wide range of stakeholders, and while the fundamental provisions of the Bill remain substantively the same, it is already significantly enhanced and revised, and I hope that it will be further revised by the amendments that I have tabled or co-signed, most of which have been in cooperation with the Minister of Justice.

Before I move to the substance of the amendments in this group, I would like to say thank you to a number of people who have contributed to my Bill so far. First, I would like to say thank you to everyone who submitted evidence to my initial consultation, to the consultation conducted by the Justice Committee and during the evidence sessions conducted by the Justice Committee. The quality of the evidence provided has been of a high standard, and I have put forward a number of amendments as a consequence of submissions that were made during the initial consultation and in the evidence given to the Justice Committee. This Bill undoubtedly will be a better Bill due to these contributions.

Secondly, I would like to pay tribute to the Justice Committee, which scrutinised the Bill. The Committee process was an onerous and lengthy one, and some of the evidence given was not easy to deal with. I am thankful to the Committee for its in-depth scrutiny, and I look forward to hearing contributions from its members during today's deliberations.

Thirdly and finally, I say thank you to the Minister of Justice and his team at the Department of Justice, particularly Julie Wilson, Simon Rogers and Alison Redmond. The Minister and his Department have engaged with me very constructively, which has led to many of the positive amendments that have been tabled. Of course, disagreements remain over particular parts of my Bill, which will be explored in due course, but it would be remiss of me not to thank the Minister and his team.

I also thank the Minister of Health —

Mr Ford (The Minister of Justice): I thank the Member for giving way, and I trust, Mr Deputy Speaker, that you will allow me to make an intervention that is slightly longer than usual.

Lord Morrow recorded his gratitude to my team and to the Department, and I wish to record my gratitude to him for the constructive and positive way and the spirit of partnership with which he engaged with the Department over recent months. The Bill is undoubtedly still Lord Morrow's, but those who thought that Maurice Morrow and David Ford could not agree on anything have been proven wrong today by the unique way in which so many amendments have been signed by both of us. That is sign of the constructive engagement of which he spoke.

I add my thanks to Lord Morrow and to Mark Baillie, who has worked most closely with him, as well recording my thanks to Julie Wilson, whom he named, her team in the DOJ and other officials in DFP and DHSSPS who have assisted in ensuring that, by the end of today's debate, the fight against human trafficking in this jurisdiction will be in a much better place. Given the complexity of the Bill, I suspect that there are issues that we will need to revisit for the next stage, but I give a commitment that that constructive engagement will continue to Further Consideration Stage so that we get the best possible legislation for Northern Ireland. Thank you, Mr Deputy Speaker.

Lord Morrow: I thank the Minister very much for his comments. What he said adequately reflects the mood in which we have conducted ourselves on this side, on the Minister's side and in the Department. What he said clearly reflects the attitude that both of us brought to the table when we discussed the advancement of the Bill, even when it came to thorny issues.

I thank the Minister of Health, Social Services and Public Safety and his team of officials, who have also worked closely with me on a couple of key clauses, and the Attorney General, who has given ongoing advice, especially on issues to do with non-prosecution.

I want to explain the way in which the amendments have been tabled. Members will see that I am opposing a number of clauses standing part, the Minister, on other occasions, is opposing a number of clauses standing part and that, on most of the clauses, we have co-signed that they should not stand part. We have done that because we want to amend the clauses in question, and, procedurally, it is easier to remove them and to insert new clauses. I reassure Members that that approach does not mean that I have changed my mind on the principle or substance of the clauses. Rather, the objective of each clause remains the same, but the wording requires to be amended to ensure smooth operation in practice.

I move on to the substance of the clauses and the amendments, which are part of a very large group and that cover a variety of new offences and sentencing powers.

I am opposing clause 1 standing part due to developments that have resulted from the Modern Slavery Bill in Westminster. Members will remember that a draft Modern Slavery Bill was introduced last December, in which consolidated offences were proposed, bringing together previous legislation on human trafficking for sexual exploitation, forced labour and slavery. If accepted, that would have provided greater clarity for the police and prosecutors in seeking to tackle those crimes.

As a result of that Bill, the Department of Justice consulted on similar offences for Northern Ireland through its consultation document, 'Human Trafficking and Slavery: Strengthening Northern Ireland's Response'. The new offences that we will debate today are the result of that consultation. It is important that we have as consistent an approach as possible across the UK on the definitions of those offences.

When I introduced my Bill, the Modern Slavery Bill had not been introduced at Westminster, and we had not had sight of these proposed new offences. Consequently, in light of the changes that have occurred since I introduced my Bill, it is appropriate for clause 1 of my Bill to be replaced. Amendment No 1 introduces new clause 1A, which would introduce a consolidated offence of slavery, servitude and forced or compulsory labour. That new offence would replace the existing offence that currently applies under section 71 of the Coroners and Justice Act 2009. New clause 1A would make it an offence knowingly to hold another person in servitude or slavery or knowingly to require another person to perform forced or compulsory labour. Clause 1A(2) defines clearly what is meant by slavery, servitude and forced or compulsory labour by explicitly referring to article 4 of the Human Rights Convention.

12.30 pm

Taken together, clause 1A(3) and clause 1A(4) outline that in deciding whether a person is a victim of an offence under this clause, regard may be had to an individual's personal circumstances. It would particularly take into account any personal circumstances that would make an individual more vulnerable than others to exploitation.

Clause 1A(5) embeds in law what clause 2 of my Bill sought to achieve: the victim's consent to any part of the offence committed against them under clause 1A is irrelevant.

Lastly, clause 1A(6) ensures that offences of slavery, servitude and forced or compulsory labour in Northern Ireland can be tried only on indictment. This is a different approach to that taken in the Modern Slavery Bill but fits with the way in which human trafficking offences are currently tried in Northern Ireland. Members will remember that we agreed to move to such trafficking cases being tried only in a Crown Court when we passed the Criminal Justice Act (Northern Ireland) 2013. In England and Wales, cases can be heard in a Magistrates' Court as well as in a Crown Court.

Amendment No 2 introduces new clause 1B. This clause would create a consolidated offence of human trafficking to replace the current separate offences of human trafficking for the purposes of sexual exploitation and human trafficking for other forms of exploitation that are set out in sections 57 to 59 of the Sexual Offences Act 2003 and section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Under new clause 1B, it would be an offence to arrange or facilitate the travel of another person with a view to them being exploited. The offence would cover all forms of exploitation as defined under new clause 1C.

Clause 1B(2) clarifies that arranging or facilitating travel may include transporting, transferring, harbouring or receiving the victim, or transferring or exchanging control over them. This addition goes beyond existing trafficking offences and makes it clear that the full international definition of the act of trafficking set out in the Palermo Protocol applies. I warmly welcome that development.

Clause 1B(3) makes it clear that an offence has been committed whether the person intends to exploit the victim themselves, or knows or ought to know that another person is likely to exploit them.

Clause 1B(4) defines travel comprehensively to mean entering into, departing from or travelling within any country. Clause 1B(5), like clause 1A(5), replicates the effect of clause 2 of my Bill by ensuring that a victim's consent to any act forming part of the offence is irrelevant.

Clause 1A(6), clause 1A(7) and clause 1A(8), taken together, address the international dimension of human trafficking. In line with clause 1A(6), clause 1B(9) ensures that an offence under this clause can be tried on indictment only.

Amendment No 3 introduces new clause 1C. This clause defines what constitutes exploitation for the purposes of a human trafficking offence under new clause 1B. In doing so, it consolidates the relevant provisions of what currently constitutes exploitation in respect of the existing offences of human trafficking and extends the categories of exploitation to include a number of additional measures that had previously been included in clause 5 of the Bill. These were and are intended to bring extra clarity to what constitutes exploitation of forced labour, and I hope that Members will appreciate that they have not been lost in the process of consolidation. These additional measures include a clarification that "benefits of any kind" include "the proceeds of forced begging" or "criminal activities" and that securing services by force includes the use of coercion, abduction or fraud to induce a person to provide services.

I also draw to Members' attention that we have taken the opportunity of consolidating these definitions to make it clear that there will be a different approach to securing services or benefits from children or vulnerable adults. Proposed new clause 1C(6) sets out that an offence can be committed where there is no use of force or coercion in making the victim provide the services, where the victim is a child or a vulnerable person. The existing legislation attempted to deal with these situations where the victims' particular vulnerability is exploited in this way; however, it used rather vague terms, such as "young" rather than stipulating that the person is a child.

Amendment No 4 introduces new clause 1D. Under article 66 of the Sexual Offences (Northern Ireland) Order 2008, it is an offence to commit an offence:

> *"with the intention of committing a relevant sexual offence".*

Sections 57 to 59 of the Sexual Offences Act 2003 provide that relevant sexual offences include offences of human trafficking for the purpose of sexual exploitation and, under article 66 of the Sexual Offences Order (Northern Ireland) 2008, preparatory offences, which include offences of "aiding, abetting, counselling or procuring" such an offence. However, as has been the case in many areas of trafficking legislation, these preparatory offences have applied only to human trafficking for the purposes of sexual exploitation and not for human trafficking for forced

labour or of slavery, servitude and forced or compulsory labour offences.

New clause 1D is one of many changes that will be made to the Bill to bring parity in the way that the criminal justice system treats human trafficking and slavery offences. It will create a new preparatory offence similar to that under article 66 of the 2008 Order, which would apply where an individual commits an offence with the intention of committing any slavery-like or trafficking offence under new clauses 1A or 1B. This will mean that lesser offences — for example, stealing a vehicle — that are committed in preparation for and with the intention of committing a slavery or trafficking offence will be eligible for a longer sentence, due to the connection with slavery or trafficking. These offences acknowledge that slavery and human trafficking often involve a chain of events and a range of people at different levels and stages but that they all contribute to the ultimate result of trafficking or forced labour.

In applying this preparatory offence to slavery-like offences, my Bill will go beyond the provisions of the Modern Slavery Bill, in which the equivalent preparatory offence would apply only in respect of human trafficking offences under clause 2 of that Bill. An offence under new clause 1D would ordinarily attract a maximum sentence of 10 years on indictment or six months and/or a fine on summary conviction. Where, however, the offence is committed by kidnapping or false imprisonment, it would attract a life sentence.

I hope that Members will feel that the four new clauses that I have outlined will give Northern Ireland a robust criminal law framework to take the Province forward in tackling these awful crimes. I urge all Members to vote in support of the proposed new clauses.

The purpose of clause 2 is to set out the situations in which the consent of a victim of trafficking or slavery will be considered irrelevant in the context of a criminal offence. The issue of consent, or lack of it, is now covered by the text of new clauses 1A and 1B. Consequently, clause 2 no longer needs to remain in the Bill and should be removed. I urge Members to oppose clause 2 standing part of the Bill.

Amendment No 5 introduces a new clause 2A. It seeks to amend the Criminal Justice (Northern Ireland) Order 2008 to classify the new slavery and human trafficking offences under new clauses 1A and 1B as serious offences for the purposes of sentencing dangerous offenders under schedule 1 to the 2008 Order. It also amends schedule 2 to the Order to classify human trafficking and slavery offences as violent offences under part 1 of the schedule and to classify human trafficking for sexual exploitation as a specified sexual offence for the purposes of sentencing dangerous offenders under part 2 of the schedule. In so doing, the clause will allow the court, where it considers it necessary for the purposes of public protection, to set down a life sentence, an indeterminate custodial sentence or an extended custodial sentence. Members will know that there is a significant increase in potential penalties from the previous arrangements, where the maximum penalty was 14 years. I hope that Members will support the very strong signal that offenders of those awful crimes committed in Northern Ireland will be treated extremely severely.

I am very pleased to have tabled amendment Nos 6 to 14 together with the Minister. Members will remember that I included a clause on aggravating factors in my Bill because the European directive and the European convention on trafficking include particular elements that indicate that a higher penalty should be given to a perpetrator. I recognise that setting out such factors is an unusual step to take, but it is not without precedent in the United Kingdom: aggravating factors are set out in section 4A of the Misuse of Drugs Act 1971, as introduced by section 1 of the England and Wales Drugs Act 2005.

Amendment Nos 6 to 14 are a series of small, technical amendments that ensure that the text aligns with other pieces of legislation and add clarity to the definitions of "public official", "vulnerable adult" and a "member of the family of the victim". In all those cases, the purpose and effect of the clause remains the same. However, the amendments will make the text more effective, and areas of uncertainty will be removed. The Minister and I have agreed on the amendments outlined, and I urge all sides of the House to support them. Members will see that there are a considerable number of amendments that we will discuss shortly that bring in new powers on sentencing, such as in proposed new clauses 5A to 5D. The inclusion of specific aggravating factors is a helpful addition to the substantial efforts being made to tackle perpetrators severely.

The Minister made clear his opposition to the principle of clause 4 at Second Stage, and he is seeking to have it removed from the Bill today. I clearly state that I strongly and emphatically disagree with the Minister on this. In the past, as, I am sure, he will today, the Minister stated that introducing a minimum sentence would unduly fetter the discretion of judges to impose an appropriate sentence.

That, however, simply does not stand up to scrutiny.

12.45 pm

In the first instance, the Assembly frequently imposes limits on the sentences that can be handed down by judges. Judges do not have absolute discretion to impose whatever sentence they would like. For example, it would be manifestly unjust for a judge to impose a life sentence on a person who was caught shoplifting, and the relevant statute does not allow a judge to do so. If we as an Assembly can fetter the discretion of a judge in terms of the maximum penalty he or she can impose for an offence, why can we not do so in terms of minimum sentences?

In the second instance, in answer to that question and of vital importance, Northern Ireland already has minimum sentences. Article 70 of the Firearms (Northern Ireland) Order 2004, which was passed in this House in 2004, imposes minimum sentences for a range of firearms-related offences, and schedule 2 of the Violent Crime Reduction Act 2006, which applies to Northern Ireland, imposes a minimum sentence for the offence of using someone else to hide or carry a dangerous weapon so as to make the weapon available for the first person to use for an unlawful purpose. I doubt that we will hear anyone argue today for the repeal of article 70 of the Firearms Order or schedule 2 of the Violent Crime Reduction Act, but that is vital if one is really opposed to the principle of imposing minimum sentences in statute.

The truth is that, whether one considers minimum or maximum sentences, it is entirely appropriate for legislatures to set out the seriousness of an offence by determining the order of penalty that is required. That does not remove judicial discretion any more than defining an

offence in statute does. It is very proper that a legislature should be able to define an offence and its seriousness as that relates to sentencing. Judicial discretion remains very much alive and well between minimum and maximum sentences.

Clause 4 rises to that challenge to make it plain that we in the Assembly, the lawmaking body on justice in Northern Ireland, regard human trafficking and slavery as very serious crimes and want would-be offenders to be fully cognisant of that fact before they consider trafficking or holding someone in slavery in Northern Ireland. That is a completely legitimate view for the Assembly to take and one that clause 4 helps to deliver.

To those who, despite those, in my judgement, overwhelming arguments, may still have questions, I will make two further points. First, with the help of the Attorney General we have been able to draft a sophisticated and balanced clause. I will shortly outline my amendments, which send out a very important message to would-be offenders whilst not removing judicial discretion.

Crucially, clause 4 gives judges the freedom to derogate from the two years in exceptional circumstances, although they must account for doing so. Secondly, they should also be aware that, in dealing with the serious crime that we are discussing today, it is a measure that the public supports. An Ipsos MORI poll conducted in August included the following question:

> *"A proposal has been put forward at the Northern Ireland Assembly to introduce a required minimum sentence of two years for those people convicted of human trafficking or slavery offences within the country. The proposal allows for judges to set a lower sentence in very exceptional circumstances. Do you believe that it is appropriate for such a minimum sentence to be introduced?"*

Some 65% of people responded to that question with the answer "yes" and 54% said that they believed that very strongly.

I believe that it is a timely and very well conceived provision that will be very much to the benefit of Northern Ireland. I warmly commend it and urge the House to vote against the motion that clause 4 should not stand part of the Bill.

I will now address the amendments in detail. Amendment No 15 is a technical amendment that links clause 4 to the new consolidated offences. Amendment No 16 would amend clause 4 so that the minimum sentence framework would not apply to children. It was an oversight in the initial Bill that the sentence would apply to children. I am grateful to the Member for East Antrim, the Minister of Justice, who pointed that out at Second Stage.

Amendment No 17 would ensure that, if a judge decides that there are exceptional circumstances that justify not imposing the two-year minimum custodial sentence, they must state their reasons in open court. Amendment No 18 requires the reasons to be recorded by the chief clerk. This ensures that, where there are exceptional circumstances that mean either a lower sentence or a suspended sentence is appropriate, the court is able to give such a sentence, but the reasons need to be given in open court. This will help to ensure that judges are accountable for the sentences that they impose, ensuring that such decisions are taken in a reasoned way. It will also bring clarity about such exceptional decisions for the general public and help to maintain public trust in the sentencing regime.

My amendment No 19 arises out of the concern that —

Mr Elliott: Will the Member give way?

Lord Morrow: Right, OK, I will.

Mr Elliott: I appreciate the Member giving way. I just have a very short query about the last two amendments, under which the court has to give an explanation as to why it may give a lesser or more lenient sentence. I just wonder whether the Member has any ideas or are there any guidelines in statute at the moment as to why a more lenient sentence might even be given. Is it just left to the discretion of the judiciary?

Lord Morrow: I will come to that point in a moment or two. I listened carefully to what the Member said in relation to that.

My amendment No 19 arises out of the concern that, under the clause as currently drafted, it would be technically possible for a court to hand down a two-year suspended sentence. This outcome would undermine the ability of the clause to deliver the clear message that I believe we should send to traffickers. I am very grateful to the Attorney General for spotting that loophole and for suggesting a means to plug it by defining a custodial sentence as not including a suspended sentence, but allowing for such a sentence in exceptional circumstances.

Amendment No 20 introduces a series of technical consequential amendments to ensure that the sentencing framework in other relevant legislation includes the proposed minimum sentence. The changes I am putting forward here reflect the same changes on sentencing as in the minimum sentence in article 70 of the Firearms (Amendment) (Northern Ireland) Order 2004. Under new subsection 4(2D), the Attorney General may refer a sentence for review if the judge fails to impose the minimum sentence. Under new subsection 4(2E), the courts cannot give the perpetrator an absolute and conditional discharge, a probation order, a community service order or an order combining community service and probation. Under new subsection 4(2F), that new minimum sentence would be reflected in the same way as other minimum sentences in legislation setting custodial sentences.

My clause 5 outlines some policy changes I believe should take place to the current Asylum and Immigration Act 2004. However, I am glad to reassure Members that the proposals that I made in clause 5 have been incorporated into new clauses 1A to 1C. In light of those changes, I am content that clause 5 is no longer needed and should not stand part of the Bill.

I strongly support amendment Nos 21 to 30, 27, 60 and 61 to bring in new sentencing powers that reflect provisions in the Modern Slavery Bill. These are amendments that are proposed by the Minister and to which I have added my name. They are complicated provisions that I will set out in broad terms in the next few minutes and allow the Minister to deal with any points of detail.

Amendment No 21 will make it easier for assets to be recovered from those convicted of human trafficking and slavery offences by designating new clauses 1A and 1B as criminal lifestyle offences for the purpose of the Proceeds

of Crime Act 2002. It seems clear to me that any measure that will make it easier to recover assets from those who commit these offences is worthy of support. It is crucial that perpetrators of these crimes can have any assets that they have gained through committing them confiscated.

Amendment Nos 22 and 60 introduce new clause 5B and the related schedule 1. Those amendments would allow courts to order the confiscation of land, vehicles, ships or aircraft if they were used or were intended to be used in connection with human trafficking and slavery offences. Under the Sexual Offences Act 2003, those powers are available in Northern Ireland and will continue to be available through the new consolidated offences in this clause.

Amendment Nos 23 and 61 introduce new clause 5C and schedule 2 to allow the court to order an offender to pay a reparation order. That will provide another avenue through which victims can gain some level of compensation for what they have suffered. The advantage of a reparation order over the criminal injuries compensation scheme is that the money comes directly from the perpetrator's assets, if they have any that can be claimed. I am particularly pleased that the courts must consider setting down a reparation order, and, if they do not do so, the judge must outline why they have not done so. However, the point should be emphasised that the orders do not stop a victim making a claim from the state, as well as through the criminal injuries compensation scheme. They simply offer another way of obtaining money to benefit victims.

Amendment No 27 introduces new clause 5G, which will maintain the content of clause 7(2) and 7(3) of my initial Bill in a separate new clause inserted in the most appropriate part of the Bill now that there are new clauses on other criminal justice matters. I believe that the clause is necessary to make it crystal clear to those investigating or seeking to prosecute the perpetrators of these offences that such action is not dependent on the victim reporting that the offence has occurred or accusing an individual of committing such an offence.

As I have said all along, this is a Bill about exploitation. Amendment No 40 has been tabled by the Minister of Finance and Personnel and would introduce a new offence of forced marriage to Northern Ireland. The offence was not included in the initial version of the Bill that I introduced in 2013. However, I am happy for it to be included. It is manifestly obvious to me that forced marriage is a form of exploitation. The offence is based on a similar offence that passed into law in England and Wales earlier this year. I will allow the Minister to speak about the matter further in his contribution.

Amendment No 50 pertains to clause 13 of my Bill, which seeks to protect victims during the course of criminal investigations. I will speak more about this clause later. Amendment No 50 links the protections of clause 13 to the offences that we are introducing through amendment Nos 1 and 2. Amendment No 50 also extends the provision of the measures to victims of offences under new clauses 1A and 1B. Originally, the clause provided the protection only to victims of human trafficking, following the England and Wales regulations and the EU anti-trafficking directive. However, I have since concluded that the vulnerability of victims of slavery offences is such that this special treatment should be available for those victims, as well as for those who have been trafficked.

1.00 pm

Mr Givan (The Chairperson of the Committee for Justice): With your indulgence, Mr Deputy Speaker, before addressing the amendments, I wish to make some general remarks about the Bill in my capacity as Chairman of the Committee for Justice.

First, I commend Lord Morrow on introducing this very important Bill to the Assembly. I know the commitment and tenacity that he has shown and the hard work and perseverance that it has taken to get the Bill to this stage of the process, and I congratulate him on that. Speaking in the capacity of party colleague, I can say that we are immensely proud of the way in which Lord Morrow has championed the Bill and spent over two years dedicating himself, heart and soul, to bringing forward this legislation. We have huge admiration for the way in which he has conducted himself, at times in the face of very difficult challenges that were being posed to him. He has very carefully and studiously avoided getting involved in confrontation and dealt methodically with all the issues that have been brought his way.

I have no doubt that, when we look back on what, I trust, will be the Bill's successful passage through the House, we will see this day as being a historic occasion. I trust that Lord Morrow will look back with immense pride that he led on the Bill and brought it to this stage and that the Assembly supported him. Indeed, on behalf of my colleagues, I would go as far as to say — this is no exaggeration — that, in bringing the Bill forward, we regard Lord Morrow as a modern-day William Wilberforce. I have no doubt that he would put his imprimatur on the Bill and endorse its content fully. I cannot speak highly enough of our colleague and party chairman, and I am very proud to have been able to support him in some way in getting to this point. It is important that we put that on the record.

As I have said on numerous occasions and as the Justice Committee has heard at first hand, human trafficking is a heinous crime that devastates people's lives and that needs to be tackled from every possible angle. In 2012, when the Committee considered the Criminal Justice Bill, which created two new human trafficking offences, we made it very clear to the Minister of Justice that we wanted the strongest possible legislation to be introduced in Northern Ireland for human trafficking. In the evidence that the Committee received during the passage of that Bill, it was clear that a number of organisations believed that the Department was adopting a minimalist approach in implementing the EU directive on human trafficking and had missed an opportunity to put additional measures into legislation, particularly in relation to the protection, assistance and support of victims, including children, and the availability of proper investigative tools.

There is no doubt that Lord Morrow, through his Bill, is changing that approach and ensuring that the legislation in this country to deal with human trafficking is much improved. His Bill will also address one of the other criticisms raised at that time, which related to the complexity and piecemeal approach to the legislative framework for offences concerning human trafficking and the need for a single comprehensive piece of legislation that would assist in increasing the understanding of the justice framework for dealing with the crime and awareness of it.

Given the importance of the Bill and the interest expressed, the Committee spent considerable time undertaking detailed and careful scrutiny of the then 19 clauses. After completion of Committee Stage, we have continued to consider a range of proposed amendments, most recently in September, following which the Committee wrote to all Assembly Members outlining the updated position.

The Committee sought a wide range of views as part of its deliberations on the Bill and requested evidence from interested organisations and individuals as well as from the Department of Justice. Over 139 written submissions were received, and the Committee took oral evidence from a wide range of witnesses, including voluntary organisations that provide support to trafficked victims and work with those involved in prostitution; academics; Church and faith-based representatives; individuals who are or were involved in prostitution; the Police Service; the Public Prosecution Service; officials from the Department of Justice; the Minister of Health, Social Services and Public Safety; and the Attorney General for Northern Ireland. Lord Morrow, as Bill sponsor, also attended the Committee on several occasions to discuss the Bill's provisions and possible amendments.

To assist its consideration of clause 6, the Committee undertook a visit to Sweden in December 2013 to meet government and non-government representatives to discuss its legislation, which criminalises the purchase of sex. We also met the Oireachtas Joint Committee on Justice, Defence and Equality in Dublin in January 2014 to discuss the findings of its report on a review of legislation on prostitution, which recommends the introduction of a summary offence penalising the purchase of sexual services of another person by means of prostitution or any request, agreement or attempt to do so.

It is clear that the Committee scrutinised and considered all aspects of the Bill in a full and thorough manner. I thank the members of the Committee for their diligence and contributions during the Committee Stage process. I put on record my thanks to those no longer on the Committee: Mr Jim Wells; Mr William Humphrey, who I see is here with us; Mr Sydney Anderson; and Ms McCorley. It is fair to say that some members came with a differing viewpoint at the start of the process, but I have no doubt that the scrutiny carried out and the challenges made led to the robust legislation that we have today. It was a demonstration of how the Assembly and the Justice Committee do work and can do a course of work in which all the political parties can operate together, albeit with differing viewpoints at times. The outcome of that work is a demonstration of how business can be done in the Assembly. This legislation is testimony to that.

As Lord Morrow said, it was not an easy task, and some of the oral evidence on personal experiences was difficult and distressing to hear. I also thank the witnesses who provided written and oral evidence, particularly those who shared with the Committee their personal experiences of trafficking and prostitution, which was not easy for them. I thank Lord Morrow, who, very helpfully, provided further information and kept the Committee informed of developments relating to the Bill, and the Department of Justice officials who kept us updated with developments relating to the Modern Slavery Bill in Westminster and the related provisions for Northern Ireland.

I believe that today is historic — it is an historic opportunity to seize the moment. Northern Ireland and the Assembly can lead on this issue in the United Kingdom and on the island of Ireland. I hope that Members, as we go through the various debates on the groups of amendments, will reflect and come together to send a clear message. I hope that we will seize the moment to make a difference in our society for the most vulnerable. That is what is at the core of the legislation: the protection and support of the most vulnerable.

I turn now to clauses 1, 2 and 5 and the amendments to introduce new clauses 1A, 1B, 1C, 1D and 2A. In the evidence received by the Committee, there was support for the clarity provided in clause 1 on the definition of human trafficking. The inclusion of forced labour was also welcomed, with views expressed that all forms of modern-day slavery should be covered under a unified piece of legislation. There was similar support for clause 5, which provides for the inclusion of additional definitions in the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 to mirror the EU directive, particularly in relation to forced begging.

During Committee Stage, the Department told the Committee that, as a result of the draft Modern Slavery Bill, which was published by the Home Secretary on 16 December 2013, it was undertaking a consultation on proposals to strengthen the response to human trafficking and slavery in Northern Ireland. The Committee was content with clauses 1 and 5 but noted that the results of the Department's consultation, which included proposals to simplify and consolidate the legislative framework for human trafficking and slavery offences, would have a bearing on both clauses and that amendments may be needed.

On clause 2, all organisations that submitted evidence agreed that a victim's consent should be irrelevant in cases of human trafficking or slavery offences. However, there were differing views on whether clause 2 was necessary, given the law already in place. While some were of the opinion that the provision was unnecessary and that enacting it may give rise to complications, others indicated that it was important to provide clarity on when a victim's consent should be considered irrelevant. They highlighted the 2013 Anti-Trafficking Monitoring Group report, which indicated that there seemed to persist an incorrect view that a trafficked person needed to be abducted or forced to come to the United Kingdom against their will.

When Lord Morrow attended a Committee meeting to discuss the Bill, he recognised that there had been considerable debate on whether clause 2 was required but said that, in his view, stating the need for the consent of victims to be irrelevant was important. He also advised the Committee that amendments would be required to the clause, depending on the outcome of the Department's consultation. The Committee agreed that it was content to support clause 2, but noted that amendments may be needed.

More recently, departmental officials attended a Committee meeting on 10 September 2014 to outline the further work that had been carried out in conjunction with Lord Morrow following the consultation exercise and the range of amendments that is in front of us today. The aim of the amendments, which will replace clauses 1, 2 and 5, is to repeal existing offences and to create a series of new, consolidated offences and definitions relating to human trafficking, exploitation and slavery, servitude and

forced or compulsory labour. They will also create new penalties. Amendment No 21 will enable slavery-like and human trafficking offences to be specified as criminal lifestyle offences, which will improve the courts' ability to confiscate criminal assets. Amendment Nos 22 and 60 will enable the courts to order the forfeiture of land vehicles, ships or aircraft that were used or intended for use in connection with human trafficking or slavery-like offences; and amendment Nos 23 and 61 will make provision for the courts to impose new slavery and trafficking reparation orders under which offenders convicted of the offences under new clauses 1A, 1B or 1D will be required to pay reparation to their victims.

The Committee is content with the approach adopted by Lord Morrow and the Minister, and the new penalties obviously strengthen the ability of the police and the courts to deal with the perpetrators of human trafficking and are therefore very welcome indeed. The Committee also welcomes the fact that the new offences will be triable on indictment only, particularly as we used the Criminal Justice Bill to ensure that that would be the case when the new human trafficking offences where being brought forward at that time, and notes that they clarify that the victim's consent to any part of an offence under these new clauses is irrelevant, thus delivering the intended effect of clause 2.

The Committee also supports new clause 2A, which will bring the new offences under the scope of the public protection sentencing framework enabling a court, where it considers it necessary, to impose a life sentence, an indeterminate custodial sentence or an extended custodial sentence, with the result that individuals subject to such sentences will also be subject to the relevant release, licence and recall arrangements.

Moving on to clause 3, the key issue is whether the aggravating factors that a court must consider when passing sentence for human trafficking or slavery offences should be set in statute and, if so, whether that will limit judicial discretion or whether sentencing guidelines would be preferable. The evidence received by the Committee indicated that, while a few organisations preferred sentencing guidelines, there was strong support for clause 3 from the majority of respondents, who felt that the aggravating factors should be set out in the Bill and considered that that approach was not inconsistent with judicial discretion.

The Department initially expressed concern that setting aggravating factors in statute would limit flexibility in responding to emerging case law and fetter the discretion of judges and was of the view that sentencing guidelines would be a better vehicle to respond flexibly to case law as it emerged. However, in light of the strong support in the evidence to the Committee, officials advised that the Minister would support clause 3 but indicated that a number of technical amendments were required. When considering clause 3, the Committee noted the opinion of the Attorney General for Northern Ireland that there was no obstacle to the legislature setting out a series of aggravating factors, that it was not inconsistent with judicial discretion in sentencing, and that the sentencing judge retained discretion to consider factors other than those set out by statute in reaching his or her decision on sentence. The Committee agreed that it was content with clause 3, subject to the technical amendments proposed by the Department and which have been brought forward today.

I turn now to clause 4 and the associated amendments brought by Lord Morrow. When the Committee considered clause 4, two particular issues arose: whether the inclusion of a minimum sentence in legislation regarding human trafficking and slavery offences fettered judicial discretion; and the fact that the compulsory minimum sentence applied to children. There was unanimity in the view that it was unacceptable for clause 4 to apply equally to children and adults and that it required amendment to clarify that the minimum sentence provision does not apply to children. The Committee agreed with this view, and Lord Morrow indicated that he intended to bring forward amendments to make the necessary changes, which he has done today.

With regard to whether clause 4 fetters judicial discretion, there was a much wider range of views, with organisations such as the Law Centre, the PSNI and Victim Support expressing concern that the application of minimum sentencing would compromise judicial discretion. Other key stakeholders welcomed the clause, stating that incorporating a minimum sentence in the legislation was a necessary deterrent, that it sent a strong message to the perpetrators of human trafficking, and that the wording used still provided for judges to apply discretion. The Northern Ireland Human Rights Commission agreed with this interpretation, advising that, in its view, the figure of two years proposed as the minimum sentence was not arbitrary but reflected a subtle increase in current sentencing practice and that the clause allows for judicial discretion because exceptional circumstances are written into it.

1.15 pm

From the start, the Minister of Justice indicated to the Committee that he had concerns regarding a compulsory minimum sentence, and he intends to oppose the clause today. When the Committee discussed the clause with departmental officials, they stated that compulsory minimum sentences were rarely specified in law, reflecting the principle that judges should normally be free to take account of all available evidence and the unique circumstances in a particular case, allowing them to reach a decision on sentencing that fits the crime. In their view, clause 4 would restrict the scope for judicial discretion.

When pressed on the issue of judicial discretion by Committee members, officials accepted that clause 4 did not, strictly speaking, introduce a compulsory minimum custodial sentence, as there was qualification to permit judicial discretion, but were of the view that it was better not to have a range of statutory provisions that would then have an exemption in them and that, instead, discretion should be left entirely in the hands of the judiciary.

The Committee availed itself of the opportunity to discuss the concerns raised regarding clause 4 with the Attorney General when he attended in March. He indicated that the clause does not make provision for a hard minimum sentence model, and the provision for the retention of discretion for the judge to impose a sentence below the minimum threshold, where there are exceptional circumstances, allows flexibility for judges to depart from the statutory minimum. He suggested that it might be desirable to include an obligation for reasons to be stated by the judge if a case is considered exceptional,

which would strike an appropriate balance between the policy imperative of an effective minimum sentence and the requirement to do justice in the individual case. The Committee for Justice is clear in its support for a robust sentencing framework that reflects the gravity of human trafficking and slavery offences and indicates the seriousness with which such offences are viewed in Northern Ireland.

When considering clause 4, a number of Committee members expressed some reservations about the broad concept of including minimum sentences in legislation. They were concerned that the clause could interfere with judicial discretion in individual cases, that the majority of cases would become exceptional or that appeals in respect of the severity of the sentence based on whether the judge had given appropriate weight to the exceptional circumstances put forward would arise. They indicated that they wished to consider the arguments further before supporting the clause's inclusion in the Bill.

Other Committee members, including me, were content that sufficient qualification is provided to ensure that there is not an absolute minimum sentence and that it does not exclude judicial discretion. We viewed the clause as being persuasive on the court to impose a two-year sentence but not binding on it. We also welcomed the proposal for an amendment to require a judge to state the reasons if a decision is reached that the case is exceptional and the minimum sentence should not be imposed, viewing that as an appropriate mechanism to address concerns around exceptional cases becoming the norm.

The Committee agreed to support clause 4, subject to amendments to restrict a minimum sentence for a human trafficking offence to adults only, to ensure that the sentence is an immediate custodial sentence and not a suspended sentence and to require a court to state the reasons that a case is considered exceptional. Amendment Nos 15, 16, 17, 18, 19 and 20 tabled by Lord Morrow address those issues. I hope that the other Committee members who, when we were completing the Committee Stage of the Bill, required further time to reflect on the clause, are able to support its inclusion in the Bill today once it has been amended as outlined.

Clause 7 sets out requirements for investigation and prosecution, including that there must be sufficient training and resources for investigating and prosecuting human trafficking and slavery offences, that a prosecution is not dependent on reporting or accusation by a victim and that a prosecution can take place even if the victim has withdrawn their statement. Most of the organisations that discussed the clause with the Committee recognised the importance of sufficient training and resources for investigating and prosecuting human trafficking and slavery offences, and therefore welcomed this aspect of it, with views expressed that there was not much point in having legislation to tackle human trafficking if the investigators and prosecutors lacked the necessary tools and training to identify victims and prosecute perpetrators.

Further awareness training to recognise the signs and symptoms of trafficking and prostitution, including risks and triggers, was identified as particularly necessary. It was also felt that some amendments to the wording may be required to ensure that responsibility for all the training does not rest solely with the Department of Justice but that all Departments and agencies responsible for investigating or prosecuting human trafficking or slavery offences take appropriate measures.

In contrast, the police indicated that they developed and introduced training packages to educate and assist officers in detecting and investigating human trafficking offences and did not believe that there was a requirement for legislation in this area.

The Public Prosecution Service (PPS) also noted that the legislation placed a responsibility for public prosecutors to be trained and stated that this would require the appropriate Department to provide the PPS with legal training resources.

The Department indicated to the Committee that it recognised the intent behind clause 7 and the importance of providing appropriate training and resources for front line professionals in responding effectively to human trafficking and highlighted that a number of steps had already been taken across the criminal justice system and other front line professions to train and raise awareness of this issue. However, it did have concerns that the wording of the clause placed a statutory duty solely on the Department whereas responsibility for training and equipping investigators and prosecutors rested with a range of law enforcement agencies, some of which fall outside the Department's authority. The Department stated that it would prefer to omit clause 7(1) and amend clause 15 to include a requirement that the strategy under that clause must include matters relating to training, investigation and prosecution, which, in its view, would provide a more strategic response and allow training and resources to be considered under a more comprehensive multi-agency approach.

Lord Morrow subsequently advised the Committee that he had discussed the Department's concerns with officials and was content with the proposal to omit clause 7(1) and address matters relating to training, investigation and prosecution in clause 15. The Committee views the provision of adequate and appropriate training for all front line professionals to enable human trafficking to be tackled effectively as being very important and was therefore content to support the approach agreed by Lord Morrow and the Department of Justice in relation to clause 7(1).

In relation to clause 7, subsections (2) and (3), the PPS advised the Committee that it would apply the test for prosecution in all cases referred by the police regardless of whether the victim reported the offence, made a statement, or withdrew a statement, and highlighted that the PPS policy for prosecuting cases of human trafficking clarified this and the steps to be taken in such circumstances. The Committee agreed to support the provisions in clause 7, subsections (2) and (3), that set out that a prosecution is not dependent on reporting or accusation by a victim and can take place even if the victim has withdrawn their statement, in recognition of the difficulties for victims, some of whom do not even know what country they are in and speak little English, to come forward and give statements and evidence in court and noted that a technical amendment to omit unnecessary words in clause 7(2) was needed.

More recently, Lord Morrow and the Minister of Justice advised the Committee that to assist the structure of the Bill, they intend to remove clause 7 and replace it with new clause 5G, which is set out in amendment 27. As there are

no substantive changes being made, the Committee is content with this approach.

Let me speak briefly on amendment 40, which is being brought by the Minister of Finance and Personnel and will introduce a new offence of forced marriage. During the Committee Stage of the Bill, Lord Morrow advised the Committee that he had received a request from the Minister to include this new offence in the Bill. He indicated that the offence was part of the Westminster Anti-social Behaviour, Crime and Policing Act 2014, which had recently received Royal Assent and created a new offence of forcing someone to marry against their will. The result of the introduction of the new offence in England and Wales is that Northern Ireland is out of step with the rest of the United Kingdom, and the gap needed to be addressed.

The Committee was supportive of the inclusion of the new provision in the Bill in principle and requested further information on the detail of the proposed new offence from the Department of Finance and Personnel. The Committee subsequently noted the further information on the new offence, which is before us today. It makes sense, therefore, to use this available legislative opportunity to bring about the necessary changes to provide for this new offence and appropriate penalties, and I am sure that the Assembly will support this new provision.

At this stage, those are all the comments I wish to make as Chairman of the Committee. I appreciate that it has taken a little bit of time; however, given that the Committee has a report of 1,200 pages, I will seek to do my best to get all the necessary points put into this particular debate.

Very briefly, as an individual MLA, I will say that obviously in this group the key clause 4 may well divide the House. I concur entirely with the arguments put forward by Lord Morrow in respect of the justification for taking this approach. The evidence has shown, and the Attorney General has recognised it, that it is appropriate for this Parliament to legislate in such a manner. It is not setting a precedent, as Lord Morrow highlighted; it has happened before. Indeed, what is striking in his opinion poll that was conducted during the summer was that a majority of people in Northern Ireland are looking to politicians to legislate for this minimum-sentence approach.

I know there will be some in this House who take the view that that should be entirely the responsibility of judges. However, that is not how the public see it. The public elect us to legislate on their behalf and, if we as politicians decide that there is an issue of significant magnitude that requires a minimum sentence to be put in, then, as the Attorney General said, it is entirely appropriate for politicians to exercise their mandate on behalf of the people in respect of this issue. Therefore, I will be supporting all the positions that Lord Morrow outlined to the House, and I commend them to the House.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. First, I obviously welcome Consideration Stage. I am mindful that you have cautioned us that we should stick to the group of amendments. I just have some indulgences and some broad comments. I actually think I want to support the comments that the Chair of the Committee made in relation to the proposer of the Bill, Lord Morrow, and about the obvious amount of work that he has put into this. There is absolutely no doubt that he was very efficient in terms of the Committee and in furnishing people with information. I acknowledge that.

I suppose that even he would acknowledge that the Bill has been changed since its first framing and the first draft, both by what other people have brought to him and in relation to the Modern Slavery Bill, which he talked about. As the Chair said, the Committee report is over 1,000 pages. I also feel that it is worth acknowledging that, at Committee Stage, all of us who were part of that scrutiny heard very many powerful and insightful witnesses, and I have absolutely no doubt that they will go away from this particular exercise knowing that, when they come to scrutiny Committees in the Assembly, they are there to be properly consulted and properly listened to. Obviously, that should then inform whatever opinion we take in the future. Again, there is absolutely no doubt that, running alongside the Justice Committee report, the joint Oireachtas report had very strong viewpoints, and the views expressed in it were also certainly very informative for us on the Sinn Féin Benches.

I heard Lord Morrow on Radio Ulster this morning and I know from one of the briefing documents that he supplied to all Assembly Members and other people that he laid out three very clear aims. All of us are very supportive of the idea that, where there are vulnerable people being exploited, right across the many different aspects and circumstances of trafficking, slavery and exploitation, we as legislators must do something about it. I think that the Bill, in some way, expresses that.

I now turn to the clauses, a LeasCheann Comhairle. In his introduction, Lord Morrow laid out and described the number of changes in the clauses. When you see that, you can see how this is nearly, if not a rewrite of the Bill, certainly a putting of it into a different context and a presenting of it in a different way. He accepts that the Modern Slavery Bill, which is now being processed at Westminster, has put him in a position, along with the Minister, to make a number of changes, which I think helps strengthen the Bill, and also makes it, if you like, easier to read. That is to be welcomed. I heard the Minister commenting that there are not too many occasions where people will say that he and Lord Morrow agree, but they have found common cause here today, and I suppose that is to be welcomed as well.

The Chair very ably and aptly went through the clauses and the amendments, practically one by one. I think he gave a very fair reflection of how the Committee approached it and the position that the Committee took on all the proposed changes in this group. In brief outline, we welcome, particularly in clauses 1A, 1C and 1D, this idea of a new offence of slavery to include servitude and forced or compulsory labour. I think the Committee at one stage, if it did not have a concern, certainly pointed out that it believed that forced and compulsory labour is a part of this exploitation that perhaps needed to be addressed. When people talk about forced or compulsory labour, it does not always necessarily mean that it is by physical force. It can be psychological or just circumstance. So, we welcome that provision as well.

1.30 pm

There is a very clear definition in the Bill, and that is to be welcomed, around what constitutes exploitation in relation to human trafficking, and, in terms of clause 1D, we welcome the fact that there are what Lord Morrow outlined

as preparatory offences. He talked about the technical amendments in clause 2A, and, again, we would welcome that streamlining or bringing the sentencing processes under the dangerous offenders Act of 2008. That sends a very clear signal as to the Bill's intention to see human trafficking and exploitation as a serious offence that should be taken seriously by the courts.

I suppose that leads me to clause 4. At the Committee, that was maybe the issue, apart from clause 6, which we will talk about later on, that perhaps had the most conversation. We believe in principle that the idea of minimum sentences is not an appropriate one. We believe that it should be at the discretion of the judge in that judicial process. We listened very carefully, and I think that it has been laid out very clearly today that the offences that are being committed are serious, should be seen by the courts as serious and the appropriate sentence should be given for the appropriate offence. That is why we find it difficult to move away from the principle of not having a minimum sentence.

People might make a strong argument that this is a serious offence and an offence that most people are totally abhorred by, but I do not think that the circumstance should prevail where there is a minimum sentence for this that does not apply to other serious crimes. We are mindful of the MORI poll, and I am not saying that the question was loaded, but it was certainly framed in a particular way. Perhaps the question that should be asked is whether people agree with the principle that sentencing should be at the discretion of the court. You might get a better view from that. In this instance, I accept what the poll said, but we feel that, in principle, it should be left to the judge.

In the amendments that Lord Morrow has tabled, he accepts that there are circumstances that, I think, are described in the amendments as "exceptional". I think that the MORI poll said "very exceptional", but the amendment just says "exceptional". Although we believe that that is some attempt to except it, there are circumstances in other legislation that has come through the House where people have pointed out that, if you had a minimum sentence, there may be something unforeseen or a particular circumstance that is not catered for by the way that the legislation is framed. The word "exceptional" could be a minefield for different people in the process, be it the defence or the prosecution, to say, "We do not believe this is exceptional" or, "We do believe this is exceptional". We think that the principle of judicial discretion is the best way to take it forward. So, we will support the Department in relation to clause 4 not standing part of the Bill, but, if that fails, we will be supportive of the idea of the exceptional circumstances. I say that to put it on the record.

I will briefly touch on a number of other amendments. We support amendment No 40, which has been tabled by the Minister of Finance and Personnel. There is absolutely no doubt that the idea of forced marriage, as laid out in the amendment, is a form of exploitation. That needs to be addressed, and I think that this is the appropriate vehicle to do it. As the Chair touched on in the latter part of his contribution, we certainly support training with the proper resources and the servicing of that training, so that you have a very good approach in the investigation and in the prosecutorial processes in relation to this. It is good that it is being put into the Bill so that it becomes a requirement rather than people just feeling that it is something that they should do. If we are to make laws and want them to have a particular effect, there is no point in framing a law when those who are charged with enforcing it do not have the resources, do not see it as a priority or do not put in the proper training. That in itself creates a gap, which means that the law is very good and appropriate on paper but, in a contradictory way, is ineffectual.

We support the inclusion of the amendment whereby a prosecution should not rely on a victim's statement, and nor should that be a reason for a prosecution not proceeding. Many people who are involved in human trafficking and find themselves here as part of that experience are from different countries, different cultures and speak different languages, and the Bill caters for that adequately and appropriately.

In summary, we support most of the amendments in the first group. We have reservations with the concept or principle of a minimum sentence and who should have the ability to do that. Is it the legislator or the sentencing provision through to the judicial process? At present, we favour the judicial process.

Mr A Maginness: I thank Lord Morrow for introducing the Bill and for his hard work in realising it. It is faithful to the European directive on human trafficking, and it is important that we apply this into our domestic law. Lord Morrow has done a wonderful job. The work with the departmental officials has been outstanding. There has been a very good partnership between the Department and Lord Morrow. Some issues still divide Lord Morrow and the Department, but the bulk of the Bill is as perfected as it could be in the circumstances, and the original deficiencies have now been remedied by the amendments that have been tabled by Lord Morrow and the Justice Minister. That represents a good deal of good political work, and I believe that the Justice Committee fully supports that, and the Chairperson was sympathetic to that point of view. The Justice Committee has also done a tremendous amount of work on the Bill, and it is a great credit to the Chair, the Deputy Chair and Committee members.

When I was Chair of the Committee for Enterprise, Trade and Investment, I used to say that it was the best Committee in the House. I suppose that it still remains the best Committee in the House. I could not venture to say otherwise in front of the current Chair of the Committee. However, I think that the Justice Committee is probably almost the best Committee in the House. We did good work, which overcame party division. It is important to remember that in the House today.

I will not delay too long, because there is an awful lot of work to be done in relation to the Bill. The SDLP is very supportive of the amendments that have been tabled by Lord Morrow in the first group. As far as the definition of human trafficking and slavery offences is concerned, sensible amendments have been tabled, which to some extent reflect the Modern Slavery Bill, and it is important to have consistency on those matters.

I think that consent being irrelevant for the victim of human trafficking or slavery offences is very important. This is a heinous offence. Witnesses and victims can be intimidated, perhaps not directly but by force of circumstances: for example, the threat of deportation. It is important that consent is not necessary. Also, in clause 3, aggravating factors is a very sensible —

Mr B McCrea: Will the Member give way?

Mr A Maginness: Yes, I will indeed.

Mr B McCrea: I am struck by that argument, and I am interested in the Member's opinion on it. A number of cases of human trafficking have been brought to the courts recently, and one concerned a person who voluntarily arranged transportation. In other words, people were consensually working together. There was a guilty verdict at the conclusion of that case, but I am worried about the Member's thoughts on consent when two people willingly do something together. Are we sure that we do not need a little more oversight of what the law has to say about the matter?

Mr A Maginness: My point is that, if you have a situation in which proving the offence is entirely dependent on the consent of the victim, in those circumstances, that would be entirely wrong. I think that that is important. Here are people, perhaps the most vulnerable in the world, being subjected to this horrendous situation. Surely it is too much to expect that there would be consent in those circumstances.

There is no doubt that we make exceptions in the Bill, but the abhorrence of what is happening throughout the world and affecting our situation here in this region is such that we have to take an exceptional view in the legislation. I make no apology for that, and I think that we have to protect the most vulnerable people in the world.

Mr Wilson: Will the Member give way?

Mr A Maginness: Yes, indeed, Mr Wilson.

Mr Wilson: Does the Member also accept that, given the nature of some of the gangs who operate in human trafficking and the fact that they may have a hold not just on the victims but sometimes on the victims' families back home, the issue of consent is much more blurred than the Member suggested in his earlier intervention?

Mr A Maginness: I agree entirely with what the Member has said, and I think that the House should take that into consideration.

Mr B McCrea: Will the Member give way?

Mr A Maginness: Yes, of course, Mr McCrea.

Mr B McCrea: I totally accept the Member's point and the point that Mr Wilson has just raised about the nature of oppression, but there is an issue of principle here that interests me. If you were able to say that there was no coercion, hidden or otherwise, and that it is an act between two individuals in full consent — the case that I spoke about was dealt with by law — whereby one person willingly makes travel arrangements for another person, who willingly consents to some form of activity that we would not approve of, the fact is that they agreed to do something. I wonder about the general principle of where the state or the legislature interferes in consensual relationships between people.

Mr A Maginness: With respect to the Member, I think that he might be confusing the issue a little. I do not think that the circumstances that he outlined, in which there is a purely voluntary arrangement, could be characterised as human trafficking.

Mr Givan: I thank the Member for giving way. Unfortunately, I think that the other Member for Lagan Valley has taken a predetermined position on this debate. He clearly does not understand the amendments that are being debated and that we will subsequently vote on. This is about consent or otherwise in a statement being used for a prosecution. It is nothing to do with the circumstances that he referred to. It would be helpful of the Member read what we are dealing with and made a contribution that was relevant.

Mr B McCrea: On a point of order, Mr Deputy Speaker. I find it difficult to engage in debate with the Member through another Member. You might give some direction as to how one might deal with such a situation.

1.45 pm

Mr Deputy Speaker (Mr Dallat): That is not a point of order. However, if there is any value in your statement, I will certainly take it on board.

Mr A Maginness: Thank you, Mr Deputy Speaker. I will try to complete my remarks before Question Time.

I believe that the list of aggravating factors for the court to consider for the purposes of sentencing is comprehensive. It may well be that, in the circumstances, the court would have taken most of those into consideration anyway, but there is no harm in putting into statute the factors that the court should take into consideration.

I move on to clause 4, which is probably the most contentious clause dealt with by this group of amendments. My colleagues and I in the SDLP take the view that judicial discretion is very important, should be respected and that, in most ordinary circumstances, should be absolute. However, there are certain circumstances in which there are minimum sentences. Lord Morrow referred to those and gave examples such as firearms offences, excess alcohol, automatic disqualifications and those sorts of things. In this instance, we are talking about two years and a provision that should send out a very strong message to those who involve themselves in human trafficking that the courts will take a very severe view of it and that there would be a minimum sentence for the courts to apply.

If that was the absolute position, our party would object to it. However, it is not an absolute position because Lord Morrow has brought an element of judicial discretion into the Bill in so far as there are exceptional circumstances. I believe that that is a fair balance and that it provides the necessary judicial discretion. Such is the nature of this crime that we have to send out a very strong message nationally and internationally. That is important, and that is why it is included in the Bill and why we are supportive of it.

For those who seek reassurance on that point, the matter was discussed very thoroughly in the Committee. I refer to paragraph 75 of the Committee's report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. It states that the Northern Ireland Human Rights Commission:

> *"highlighted that the figure of two years proposed as the minimum sentence was not arbitrary but reflected a subtle increase on current sentencing practice. It advised that the existence of the exception under legislation should remain within the Bill to ensure that the sanctions imposed under Clause 4 are considered proportionate for all THB offences"*

— that is human trafficking offences. Paragraph 75 continues:

> *"including those offences defined as trafficking domestically but which fall outside of the international standard."*

Paragraph 76 of the same report states that in its oral evidence, the Northern Ireland Human Rights Commission:

> *"confirmed its view that Clause 4 allows for judicial discretion because exceptional circumstances are written into the Clause."*

I concur with the view expressed by the Northern Ireland Human Rights Commission. This is exceptional. We accept that it is exceptional and that it is not the ordinary run-of-the-mill. If it were, we would object to it. There are some limitations, but a degree of judicial discretion is permitted, and we believe that that should satisfy the concerns about clause 4.

I will end fairly quickly, Mr Deputy Speaker. Other aspects — assets recovery, reparation orders on the perpetrator and compensation for the victim coming from moneys from or properties owned by the perpetrator — all those things in the Bill are good and important, and it is important that we support them as well.

We support amendment No 40, on forced marriage, tabled by the Minister of Finance and Personnel. It is reflective of legislation at Westminster, and it is important to include it in our domestic legislation and in this Bill.

I do not think that there are any further points that I can make on the first group of amendments, so I will conclude there.

Mr Deputy Speaker (Mr Dallat): I may have to interrupt you, Mr Elliott, at 2.00 pm, when Question Time begins.

Mr Elliott: That is fine, Mr Deputy Speaker. I do not mind at all if you interrupt me. You are quite welcome to do that. However I hope that you will, as you did other Members, give me a wee bit of leeway to discuss the overall Bill at the start.

I congratulate Lord Morrow on getting progress on the Bill thus far. It has been an interesting project so far, and I am sure that it has been time-consuming for him. It has created a huge amount of discussion, let alone debate. In various areas out in the community and in the Justice Committee, and, I am sure, in the Department of Justice as well, there have been many soul-searching discussions around the rights, wrongs and merits of some aspects of the Bill.

On many occasions, I have been asked whether I support the Bill, and I have always maintained that I support its principle and ethos, as I am sure that most people do. However, as other Members have said, the Bill has undergone some major surgery in the past number of months, and it is interesting that we have a list of amendments that is over five times the length of the Bill as introduced. Anyway, it is good that Lord Morrow, the Department of Justice and the Minister have been working well together, and, hopefully, they will bring about a better conclusion.

Mr Wilson: I may have picked up the Member wrongly, given the tone of the remarks that he made about the amendments. Does he not accept that all Bills go through extensive amendments and that, rather than that being a fault of the Bill or its original intention, it reflects well on the seriousness with which the issue has been dealt with by Lord Morrow and those who scrutinised the legislation at Committee Stage?

Mr Elliott: I thank the Member for that. I said that I welcome the working-together of Lord Morrow, the Minister and the Department of Justice in bringing forward what may be better proposals. I totally accept that point.

On the matter of the first group of amendments, I acknowledge that a large number of them have been worked out between Lord Morrow and the Department of Justice, and, by and large, the Ulster Unionist Party supports them. Some of the more controversial aspects, as we have heard, are around clause 4 and the principle of setting minimum sentences. However, I acknowledge that Lord Morrow has carried this out in the right way, in that he has allowed for some judicial discretion. I support the issue of minimum sentencing, but I also support judicial discretion being applied in exceptional circumstances.

If Members have any doubt about supporting clause 4, they should look at a recent case in Craigavon Magistrates' Court, where a gangmaster was sentenced to payment of £500. That was someone who had committed crimes against a number of Romanian workers, who had to pick apples and scavenge in bins, for which they were given poverty wages. He charged them to live in an unheated shed. He was fined just £500. He actually charged them for living in that shed, which was unfit for human habitation.

I am pleased that the Gangmasters Licensing Authority said that it was shocked and appalled by the leniency of that punishment. It has indicated that it will appeal the sentence, and I hope it will. So, if anybody has any doubt about the potential of minimum sentencing, they should reflect on that case.

Under amendment Nos 17 and 18, where the minimum sentence is not imposed, the court is required to explain why and record the exceptional circumstances that apply. I envisage some interesting outworkings of that and look forward to seeing some of the explanations as to why courts do not impose the minimum sentences. I intervened when the Lord Morrow was speaking earlier to ask whether he had seen any guidelines that could potentially be utilised in those two amendments. That will be a judicial issue; it will be up to the judges and the courts to decide. However, I can see some interesting outcomes of it.

By and large, we support the amendments in this group. Hopefully, people will reflect on their opposition to clause 4 in light of the non-custodial sentence that was handed down in the case I mentioned.

Mr Deputy Speaker (Mr Dallat): Order. As Question Time begins at 2.00 pm. I suggest that the House takes its ease until then. This debate will continue after Question Time, when the next Member to speak will be Stewart Dickson.

The debate stood suspended.

2.00 pm

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

Oral Answers to Questions

Office of the First Minister and deputy First Minister

St Lucia Barracks, Omagh

1. **Mr Hussey** asked the First Minister and deputy First Minister what discussions they have had with the Ministry of Defence on the possible transfer of St Lucia Barracks in Omagh. *(AQO 6850/11-15)*

Mr P Robinson (The First Minister): We are aware that the Ministry of Defence (MoD) is working on resolving an outstanding legal impediment relating to the ownership of the historic barracks that form part of the St Lucia site. OFMDFM officials met Ministry of Defence officials in November 2013. However, the MoD has not responded to subsequent follow-up correspondence.

We fully recognise the significance of the historic buildings for the town of Omagh and the potential that they may have to contribute to the development of the area. However, in the current financial climate, we need to ensure that any future use of the St Lucia site and the listed buildings is affordable and sustainable. With that in mind, OFMDFM officials continue to discuss the potential uses of the site with officials from organisations with an interest, including the Department for Social Development and Omagh District Council.

Mr Hussey: Would the First Minister confirm whether the Office of the First Minister and deputy First Minister would support local groups that, during the decade of centenaries, would like to use the barracks' square as part of that commemoration?

Mr P Robinson: I would of course. The Department has not considered the matter, but, subject to the legal issues between the MoD and the past owner being resolved, I see no reason why it should not be used for that purpose. There is, I understand, a memorial within the site, and I am sure that access to that would be much appreciated by people locally.

Mr Buchanan: Given that the council is keen to have something happen on the site but funds are limited, what are the options?

Mr P Robinson: The first requirement is for the MoD to resolve the legal issues as to whether the previous owner wants to take the site back into ownership or whether it is free for the MoD to transfer. If they offer it on transfer, clearly Omagh District Council would be one of the key partners that would have an interest in the issue. There may even be an interest in part of the site from the private sector or in partnership with DSD and Omagh District Council. Those are the possibilities, but we have to get over the first impediment. Some Members think that OFMDFM is slow at getting replies out. Well, meet the MoD. We are still waiting for our reply from last November.

Mr Milne: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What is the current position on the Shackleton Barracks site at Ballykelly?

Mr P Robinson: The deputy First Minister and I rescued it from a use that would not have maximised its funding centrally to the Assembly and Executive or the level of jobs that could be brought into the area. We have put it out for expressions of interest, and we received over 40, principally from the private sector, although there are some partnerships and public sector interests.

I have seen expressions of interest that indicate that 1,000 or 2,000 jobs could be created in the area. Indeed, there would be a significant income for the Executive. However, we decided that it is best that we look at dividing the site into lots because there is an interest in the site from, for instance, the Department of Agriculture and DRD. There are also different private sector interests that do not conflict with each other. In the next few days, the deputy First Minister and I will look at actioning that proposal, which is to put it out for public interest and see what bids come in.

Social Investment Fund: Projects

2. **Mr Givan** asked the First Minister and deputy First Minister for an update on the delivery of projects through the social investment fund. *(AQO 6851/11-15)*

Social Investment Fund: Allocations

4. **Mr Lunn** asked the First Minister and deputy First Minister for an update on the allocation of the social investment fund to date. *(AQO 6853/11-15)*

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

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): With your permission, Mr Principal Deputy Speaker, I will answers questions 2 and 4 together.

Funding has been committed to 23 projects, with the latest costs — following cost-validation exercises since letters of offer were issued — totalling £34·4 million. We are working with the projects' lead partners on preconditions associated with their social investment fund (SIF) funding. Once these have been met, we will be able to authorise delivery start dates.

One project has started in the northern zone: the Causeway rural and urban network capital project is for the development of a charity hub. Two others — one in the Londonderry zone and the other in Belfast east zone — are close to getting approval to proceed. The Londonderry community work programme is a revenue project designed to provide long-term placements for the long-term unemployed, specifically those on the margins, such as the under-25s, while the Belfast east Bryson Street capital project will create a purpose-built community doctors' surgery on a brownfield site. The surgery will provide state-of-the-art facilities for the local community in an area of high deprivation. It is anticipated that both projects will get off the ground in the near future.

We are exploring options in relation to the remaining zonal allocations, taking account of the levels of investment

across the zones, community planning and the current financial position.

Mr Givan: I welcome that answer from the junior Minister, particularly when you consider that the quantum of moneys being talked about is £34·4 million. The Minister will be aware of the Resurgam Trust in my constituency. It is a grass-roots, community-led organisation that is professionally delivering, alongside other communities, in places such as Old Warren, the Low Road, Hillhall, Ballymacash and the Maze. It is making a really big difference in those communities. He will be aware of the successful application for one of the projects to do with SIF. Can he provide the House with an update of progress in taking forward the projects in my constituency?

Mr Bell: I am happy to do that, and I pay tribute to the trust for the work that it is doing with people who are most in need.

There are five projects in the south eastern zone. They include Laganview, which is aiming to create the healthy living centre in the Old Warren estate in Lisburn. A project aims to develop the family centre in Twinbrook, and SIF is part-funding this, alongside the Department for Social Development. The early years work aims to reduce the risk factors linked to educational underachievement and focuses on the transition stages at preschool, primary and post-primary levels, and that will be implemented right across the south eastern zone. In west Lisburn, there is an aim to redevelop the existing community centre — again, in the Old Warren estate — as a dedicated youth facility. Then there is the Cloona House project, which aims to redevelop the building as a headquarters for the Colin Neighbourhood Partnership, to allow the delivery of an extensive range of community services.

All the above projects, with the exception of Twinbrook, have a signed and returned letter of offer in place, and officials are working with the lead partners to meet the conditions. Twinbrook is being managed by DSD, and funding will be committed through that Department.

Mr Lunn: I thank the junior Minister for his answers to Mr Givan; obviously, we share an interest in that constituency. Can the junior Minister give us any sort of guarantee that this fund will be fully utilised in this financial year and that there will not be any underspend that may go to waste?

Mr Bell: It is an important question. Funding has been allocated to 23 projects to date, with the most up-to-date costs totalling, as I outlined, £34·4 million. Spend to date has been focusing on the work that is necessary to take forward the individual projects. We have looked at all the projects as they stand and at the total budget, and I am confident that a number of projects are about to receive their letter of offer. A further 22 projects will be examined. I am very keen that those projects are fully examined and come to fruition. I am confident, as far as I can be, that that fund will be fully utilised. If any project does not make it, there are other projects in the pipeline that will then be considered. Given what it was set up to do — to tackle deprivation and dereliction — I am fully confident that we can spend all the money.

Mr Spratt: I welcome the fact that a number of letters of offer have gone out in my constituency. Will the junior Minister assure the House that the £80 million will be protected to ensure that all the letters of offer will come to fruition?

Mr Bell: The money has been set aside and is targeted at where it is most needed. As I said, I am confident that that money will be fully utilised to tackle issues that have been raised in different zones.

Mr Attwood: At the end of your answer to the original question, you referred to current financial issues. Given that £34·4 million has been committed, are you hinting that OFMDFM will not be able to commit the balance or part of the balance of the moneys up to £80 million?

Mr Bell: No, is the short answer. The £80 million has been protected and is set to deliver on the projects. There is no hint whatsoever of that. As I said, the money has been allocated with the letters of offer. A number of projects are awaiting their letter of offer, and those are fairly imminent. Some £27 million remains. Twenty-two projects are being analysed in relation to that, which would take us to the full amount. If any of those projects were to drop off, there are other projects in the pipeline.

Mr Elliott: I thank the junior Minister for his answers so far. He mentioned a number of the zones, including the northern zone, the south-eastern zone and the Londonderry zone. Will he update me on the western zone, particularly the allocations that have gone out so far and the projects that are close to commencement?

Mr Bell: I am delighted that the old saying is true: all politics is local. In the western zone, we have Work Ready West, which is a revenue project that has been allocated £2·2 million There is SATCHEL, which is a Sure Start revenue project that has been allocated £1·3 million. There is also Fermanagh House, which is a capital project that has been allocated £0·9 million.

Corporation Tax

3. **Mr Wilson** asked the First Minister and deputy First Minister, in light of the outcome of the Scottish independence referendum, what discussions they have had with the UK Government on the devolution of corporation tax to Northern Ireland. *(AQO 6852/11-15)*

Mr P Robinson: Securing the power to lower corporation tax is a key priority for the Executive to promote the growth of the local economy. As part of our economic pact that we signed last year, the United Kingdom Government indicated the intention to make a decision on the devolution of corporation tax powers no later than the coming autumn statement, which will be on 3 December. Since the Scottish referendum last month, we have made clear our expectations regarding further fiscal devolution for Northern Ireland. That has involved discussions with the Secretary of State, and we have also written to the Prime Minister to press him to come to a decision quickly to ensure the swift devolution of corporation tax powers to Northern Ireland.

Mr Wilson: Given the refusal of Sinn Féin and the SDLP in particular, and, to a lesser extent, the Ulster Unionist Party, to face up to the Assembly's budgetary pressures, does the First Minister have any fear that we may find ourselves in a situation in which corporation tax powers are devolved, but we are unable to deliver on a reduction of the rate because of the financial shambles imposed on the Executive by the refusal of those parties to engage in serious debate on the Budget?

2.15 pm

Mr P Robinson: I say to my friend that my fear is not so much that the powers are devolved and we have difficulty implementing them thereafter; my fear is that Treasury might say that it expects a certain level of fiscal management responsibility and that it will therefore hold back from devolving those powers. I am sure — I say this in order to satisfy the concerns of Treasury — that the real difference between welfare reform and corporation tax is that there is unanimity around the Executive table on corporation tax. I am convinced that, if given the power, we will be able to deal with that in a unanimous manner around the Executive table.

I point out that we will obviously require legislation to go through Westminster, probably in much the same way as a money Bill would go through the House of Commons and the Lords. Even after that, there are considerable processes, particularly the procurement of the necessary IT equipment, which would probably mean that it would be, at the earliest, the end of 2016 or early 2017 before it could be implemented on the ground.

Mr Nesbitt: Notwithstanding the long wait, does the First Minister believe that, should the power be devolved, we are ready in terms of A-grade office accommodation, skill sets in the workforce and what some economists might consider other structural flaws in our set-up?

Mr G Robinson: It would be unfair to suggest that DETI and Invest have been anything other than the jewel in the crown of the Northern Ireland Executive and Assembly, and, indeed, of Northern Ireland itself. They have been out there hammering away at bringing in jobs and have done so successfully. They have beaten every target that we set for them. They have brought in more jobs over this period than at any time in the history of Northern Ireland and more foreign direct investment per head of population than anywhere else in the United Kingdom, including London. So, they have done a first-class job. Do I have some concerns that there are areas of infrastructure that we need to do more about? Yes, I have, particularly office space, which he mentioned. We have been so successful that we have started to soak up all of the available office space. The planners and developers need to up their game to ensure that we can continue with the level of growth that we have been successful in bringing to Northern Ireland thus far.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What discussions has OFMDFM had with the Scottish Executive, and what tax-varying powers are being considered for the North of Ireland?

Mr G Robinson: The deputy First Minister and I had breakfast this morning with the First Minister of Scotland, Alex Salmond. Both of us had a previous conversation with him as part of our business trip to Gleneagles, when we discussed with him elements of devolution; spoke to a major company that was looking to bring hundreds of jobs into Northern Ireland; and had discussions with the European Tour about the two visits of the Irish Open to Northern Ireland. Tomorrow, we leave here for a meeting on Wednesday with Carwyn Jones, the First Minister of Wales, on the same subject.

There is probably recognition that the same type of devolution will not be suitable for all three jurisdictions. Therefore, we need to be satisfied of what is best for us, just as Scotland and Wales will do for themselves. The hope and expectation is that there will be some commonality of approach in ensuring that we have the very best form of devolution for each of the three jurisdictions as we move forward.

In terms of what tax-raising powers we are looking at, we are looking at them all. What we come down on and which taxes are appropriate to be devolved will, ultimately, be a matter for the Executive.

Mr Eastwood: I note what the First Minister said about corporation tax. What are the Executive doing to address the very clear regional imbalances in economic development and job creation?

Mr P Robinson: I am glad to say that we have, through Invest Northern Ireland, been encouraging investment in every part of Northern Ireland. I think that the Member recognises that it is much easier in the greater Belfast area. I know that some people are very seriously considering job potential in the north-west. I hope that we can have announcements on that in the future.

There is no part of Northern Ireland, including the north-west, that anybody on the Executive — certainly not the deputy First Minister and I — would do anything other than encourage people to move to. I want to see everybody in Northern Ireland gainfully employed. I am glad to see that for 21 consecutive months, the claimant count has been going down in Northern Ireland. I am glad to see that we are back down to 6·1% unemployment and that it is hopefully still moving further down. All of that is a good sign. I want people to be employed as much in the north-west as in any other part of Northern Ireland.

Mr McCallister: From his discussions with the Scottish First Minister, Alex Salmond, the First Minister will know whether Scotland are pursuing corporation tax. Is he aware that no work has been done by either DETI or DFP on the impact that Scotland's getting corporation tax would have on Northern Ireland's receiving it or indeed the level at which it should be set? Is that a matter of concern to him?

Mr P Robinson: No. What would have been a matter of concern is that if DETI and its various advisers had not done a lot of work to see what benefit there would be to Northern Ireland if corporation tax powers were to be devolved. They have, and the economic advisers indicate that our benefit could be around 58,000 jobs. That is a significant benefit to Northern Ireland.

I am not convinced that Scotland can make the same strong case as Northern Ireland to have the devolution of corporation tax. In Northern Ireland, we have a devolved government that is coming out of a long period of conflict and division, which makes us a special case. We have a land frontier with another nation that has a very low level of corporation tax compared with that of the UK. That is a disadvantage and a uniqueness in our case. I think that, for many reasons, Northern Ireland stands apart as having a strong case for the devolution of corporation tax. I have no doubt that the First Minister of Scotland and his successor will push to have the devolution of corporation tax, but I think that we have a far better chance of getting it than they do.

Shared Campuses

5. **Mr McAleer** asked the First Minister and deputy First Minister for an update on the shared campuses, particularly Lisanelly, as part of Together: Building a United Community. *(AQO 6854/11-15)*

Mr P Robinson: The Together: Building a United Community strategy, published on 23 May 2013, reflects the Executive's commitment to improving community relations and continuing the journey towards a more united and shared society.

Work is progressing across all seven headline actions that were announced alongside the publication of the strategy. One of the headline actions is the creation of 10 shared education campuses. The programme was launched by the Department of Education in January 2014, and it received 16 applications under the first call for expressions of interest. In July 2014, the first three projects to be supported were announced. They are shared STEM and sixth-form facilities, incorporating St Mary's High School, Limavady and Limavady High School; a shared education campus, incorporating Moy Regional Controlled Primary School and St John's Primary School, Moy; and a shared education campus, incorporating Ballycastle High School and Cross and Passion College, Ballycastle. Those projects are now proceeding to full business case.

A second call for expressions of interest opened on 1 October 2014, with submissions due by 30 January 2015. An announcement of the second tranche of shared education campuses is expected to be made in June 2015. In addition to the Together: Building a United Community commitment of 10 shared campuses, the Lisanelly shared education campus programme is also being progressed. The first phase of construction, which is at Arvalee School and Resource Centre, is expected to begin early next year. Work is continuing to prepare the site, and excellent progress is also being made in developing the overall exemplar of campus design.

Mr McAleer: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What progress has been made on the provision of 100 summer camps? Will those be available for young people outside Belfast?

Mr P Robinson: I thank the Member for his question. Progress is being made on all the areas that were recognised in the seven actions that are being taken forward. We have committed to creating 100 such school or summer camps in 2015. Work is under way to ensure that we meet that commitment. Intervention activities took place in the summer of 2014, and those will continue at Halloween this year. Following an evaluation of the programmes and other related activities, a full and final programme will be developed and rolled out in all council areas from summer 2015. The programme will build on the many existing examples of good practice that are operating in the community across the country.

Mr Byrne: I thank the First Minister for his answers on Lisanelly. Will he state whether all the capital moneys can be put in place in a sequenced order to make sure that the schools that want to go there can avail themselves of the opportunity as soon as possible?

Mr P Robinson: We almost had the embarrassing situation of having money offered to us without us having the ability to spend it on Lisanelly, simply because of the timing of the programme. We have been successful in getting money — as part of the economic pact, along with our own funds — to move on with the Arvalee site proposal. Work is still being done at design stage for the other schools that are going on to the site. Ultimately, it will be a matter for the Minister to make bids for the capital budget. I will say that our capital budget is not in as difficult a place as our revenue budget is for the future, so hopefully a programme can be worked out. I have no doubt that the Minister of Education will argue his case strongly for funding for that purpose.

Miss M McIlveen: Further to those answers, what options are available for schools where physical collocation is not possible?

Mr P Robinson: The deputy First Minister and I are passionately supportive of the shared education proposals. They are a recognition that we have to deal with the situation as it is at present. While he and I might have wanted an overall and immediate integration of education across Northern Ireland, we have to work within the parameters of our present circumstances. That, quite frankly, means that, while we are rolling out the shared education campuses, many schools simply would not have a partner in their area to avail themselves of the benefits of a shared campus. In those circumstances, we are rolling out proposals that look at having shared classes and shared extracurricular activity, be it sport or other elements. On some occasions, there are possibilities for us to go well beyond that.

The deputy First Minister and I recently announced that we have £25 million for a scheme as a result of a very generous offer from Atlantic Philanthropies. That will allow us to make progress on those kinds of schemes. Where departmental funds might have been difficult on the revenue side over the next three or four years, Atlantic Philanthropies' kind giving will allow us to make progress in precisely those areas — revenue — as opposed to in capital areas.

Mr Principal Deputy Speaker: We possibly have time for a question but no supplementary questions.

Executive Office: Beijing

6. **Mr Douglas** asked the First Minister and deputy First Minister for an update on the establishment of an Executive office in Beijing. *(AQO 6855/11-15)*

Mr P Robinson: We are pleased to confirm that we have made significant progress in our relationship with the People's Republic of China and on opening an Executive office in Beijing. The director of the Northern Ireland Bureau started work in Beijing on 1 September. He has been assigned, on an interim basis, the primary objective of setting up the office, establishing contact with key Departments and stakeholder organisations, and exploring opportunities for mutually beneficial partnerships with regions across China.

2.30 pm

Logistical arrangements are being finalised with the Chinese Government for the location of the office itself. The many administrative and protocol issues that are inevitably associated with such a project are being addressed. A number of encouraging initial meetings

with government officials, businesses and agricultural organisations and local government bodies have also taken place.

The Executive's decision to open an office in China has been very well received within the Chinese Government and by the business sector. The deputy First Minister and I hope to further consolidate this growing relationship with the Chinese Government when we visit China in the near future to officially launch the Northern Ireland bureau and its services.

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move onto 15 minutes of topical questions.

Talks: Update

T1. **Mr Irwin** asked the First Minister and deputy First Minister for an update on the talks that are taking place. *(AQT 1621/11-15)*

Mr P Robinson: As Members are aware — at least, they should be — the talks process has begun. The Secretary of State has had initial meetings with the parties. I, personally, hope that she will widen it out beyond the Executive parties. If we are dealing with matters of Assembly and Executive budgets, welfare reform and the structures of the Assembly, parties other than the Executive parties have just as much a right to have their say. They may not get their way, just as some of us will not be able to get all that we want, but they should be heard at the very least.

During my party's meeting with the Secretary of State, we tabled a proposal on welfare reform. I look forward to the opportunity to talk to the other political parties about what we propose in that process. It is essential that we resolve this issue. I do not think that now is a time for us to be scoring party political points on it. A serious engagement now needs to take place. I want to make it very clear from my party's point of view that we genuinely want to get a satisfactory outcome to all the outstanding issues during the talks.

Mr Irwin: I thank the First Minister for his reply. Could the First Minister give an update on the date for reaching a conclusion to the talks?

Mr P Robinson: I know that the Secretary of State has optimistically suggested that we can deal with all of the issues by the end of November; would that it could be so. By the end of November, we will want, at the very least, to have made very considerable progress on the financial issues involved. We have looming Budget deadlines, and therefore we need to reach some conclusions as a result of the discussions. Apart from the discussions that we will have within the Executive and between Executive parties, there is a need for us to resolve with Her Majesty's Government some budgetary matters, not least the fact that our Budget in Northern Ireland has been virtually static since 2009 while pressures have been growing and costs have been increasing.

Jobs: North-west

T3. **Mr McCartney** asked the First Minister and deputy First Minister for additional information on the First Minister's answer to a question from Colum Eastwood, when he said that he had some hope or expectation of job announcements in the north-west, particularly Derry. *(AQT 1623/11-15)*

Mr P Robinson: I think that you should be declaring an interest as well, Mr Principal Deputy Speaker. The answer is that, yes, I could but, no, I will not. However, if the Member has a quiet word with the deputy First Minister, I think that he will indicate to him that we have had conversations that indicate that there is a very real interest that would be pretty substantial for the north-west. However, as with all of these issues and as the deputy First Minister knows as a fisherman, you have to wait until the fish is landed and in your hands on the bank before you say too much about it.

Mr Mitchel McLaughlin: And make sure that you have a licence. *[Laughter.]*

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chéad Aire as an fhreagra sin. I thank the First Minister for his answer. Double confirmation is double confirmation, as they say. Does the First Minister agree that job creation and the expansion of the university are two of the main planks that will assist the regeneration of the north-west in line with the Programme for Government?

Mr P Robinson: I am very sympathetic to the case for Magee, which, I assume, is what he is talking about. I was one of those who felt strongly that, if we could do it financially, there should be an increase in the cap. I also strongly believe that that increase should take place in the STEM subjects. I have argued that, if, in the future, some of what we have to do in difficult financial times is about reducing public expenditure by reducing the number of people who work in the public services and if we are going to have a voluntary exit scheme, we will need to ensure that the private sector is bolstered in order to take up the slack. The only way you can do that is through the work that DEL and DETI are doing: getting people with the necessary qualifications to take the jobs that are coming into Northern Ireland and, at the same time, ensuring that we have the jobs coming in to be filled, as DETI is doing. I am strongly of the view that we need to continue to have the growth of students coming out with the necessary qualifications for the above-medium salary levels that we are now attracting to Northern Ireland. That can only be done with the support of our universities, including Magee.

Welfare Reform Legislation

T4. **Mr Dunne** asked the First Minister and deputy First Minister whether they are aware of any plans on the part of the new Minister for Social Development to introduce legislation in relation to welfare reform. *(AQT 1624/11-15)*

Mr P Robinson: I think the House knows that the Minister's predecessor brought legislation to the Assembly. There has not been agreement around the Executive table on how to take welfare reform forward. However, I point out to everyone in the House that it is not the Bill that is the problem; the House could easily pass the Bill without violence to the principles of anybody on either side of the House. It is the regulations that flow from the Bill that would be the issue.

We have an Executive convention of not bringing legislation to the Assembly unless the Executive are agreed on that

legislation. Maybe that is one of the issues that parties will want to consider when we are talking about the arrangements at Stormont. I have heard requests from several parties in the Assembly that we bring the Bill to the Assembly. That seems to be a change in the convention, and it would mean that any Minister could bring a Bill to the Chamber, even if it did not have the agreement of the Executive. I think that we need to be careful about any precedent that is set. There may well be a time, if we are encouraged sufficiently, when we will bring the Bill to the Assembly, but the worst of all circumstances is bringing a Bill to the Assembly, having it defeated and ending up in circumstances where there is no route out of our present difficulties.

Mr Dunne: I thank the First Minister for his answer. Has he any proposals on how welfare reform can be progressed?

Mr P Robinson: "Lots", I think, is the answer to that. Taking into account the position adopted by other parties, I think there still is a way forward, provided that people are prepared to come forward with a reasonable outcome. Nobody will get everything that they want in this proposition. My party voted against many aspects of the Bill at Westminster in the Commons and in the Lords. However, we recognise that there is a balance. We have to protect the most vulnerable, but they are affected in two ways. Some will be affected by any reduction that would take place in their welfare payments, but most will be affected if there is a substantial reduction in public services and the health service, the education service and the Police Service get run down as a result of £1,000 million being taken out of our block grant. We need to balance those issues and make sure that we do something that is in the best interests. Although it may be difficult for some in our society, we need to do the best that we can for all of them. The bottom line on the issue is that, if we do not succeed in doing this and, as a result, the future of the Assembly and Executive is threatened, we would not be able to provide any protection at all to the most vulnerable under direct rule. They would not get the enhanced deal that is on offer.

Talks: Compromise and Goodwill

T5. **Mr Lunn** asked the First Minister and deputy First Minister whether they agree that, if the talks are to bear fruit, there is an absolute need for compromise and goodwill to be shown by all sides of the House, with everyone participating. *(AQT 1625/11-15)*

Mr P Robinson: I have never known any talks or negotiations that have succeeded without there being compromise on both sides, and I think that there the Member encapsulates it — on both sides. Of course there needs to be goodwill, and of course parties need to roll up their sleeves and get down to the work. That is why I am pleased that my colleagues and I were the first and only party to put a serious submission to the Secretary of State.

Mr Lunn: I thank the First Minister for that answer. Will he agree that it would have been a good start and a good gesture of goodwill to allow the election of a Speaker to proceed last week?

Mr P Robinson: When you have agreements, one agreement is valued as much as another. I made it clear last week that we stand over and will honour both of our agreements. We believe that, as one is being put into the talks process, the other should too. Hopefully, in a few weeks, we can come back and do exactly that on both agreements.

Civil Service: Savings

T6. **Mr Gardiner** asked the First Minister and deputy First Minister why Northern Ireland has seen only 4% savings in Civil Service costs in the last four years, compared to 10% in England. *(AQT 1626/11-15)*

Mr P Robinson: That is something that, I think, will be fast remedied by the proposals that we are now looking at. I suppose that the answer to it has something to do with the ambition of the Executive in relation to the number of new projects that have been commenced. However, it is very clear that, with 120,000 public servants in Northern Ireland for a population of 1·8 million people, we certainly can make reductions without having any serious impact on the services that are provided. I agree wholeheartedly with the trade unions that that has to be a planned reduction, perhaps over a period, to ensure that we do not leave any parts of the public service undermanned and that we are able to provide the service that people need. Four per cent towards 5% has been the reduction in Northern Ireland, but it has been about 8% in Scotland and about 10% in Wales. I think that it has even gone beyond that in England, where it has been about 12%. So, whatever the percentages, you could argue that some may have been at too high a level before the cull began. The truth of it is that we are looking very seriously at a voluntary exit scheme that would allow us to reduce the number of public servants and, therefore, reduce the amount of our Budget that goes to that cost. If we are able to take a couple of hundred million pounds off our Budget, there are certainly plenty of things that we could use that expenditure on.

Mr Gardiner: I thank the First Minister for his comments. If the Minister is not successful in getting the £120 million estimated savings, will he turn to compulsory redundancy?

Mr P Robinson: I do not think that anybody is talking about compulsory redundancy. Indeed, the head of the Civil Service does not want to be in the doorway when the proposal is put forward that there should be a voluntary exit scheme because he believes that there will be such a rush that he will get knocked down. I do not think that we are in that space at all. We obviously want to talk with the unions to see that we have a fair package for those who will exit the public service at this stage, but I do not believe that it will be necessary to have any compulsory redundancies.

Race Hate Crime

T7. **Mr Craig** asked the First Minister and deputy First Minister what action their Department is taking to tackle the recent increase in race hate crime. *(AQT 1627/11-15)*

Mr P Robinson: The deputy First Minister and I are adamantly opposed to anybody who believes that it is right and proper to intimidate or to attack anyone on the basis of their race. I am glad that local representatives are doing what local representatives should do and are going out and offering support to those who are under attack. We, of course, have our race relations programmes, which we will continue to roll out. The deputy First Minister and I will continue publicly to give our support to those who are under attack and to do whatever we can to discourage

the attacks and to encourage the police to bring forward convictions of those involved.

2.45 pm

Mr Craig: I thank the First Minister for his comprehensive answer. Does he agree that, given the complications of some of the attacks that are labelled race hate crimes, the justice system must equally hand out heavy sentences to reflect how heinous those crimes are?

Mr P Robinson: Yes, unquestionably. Anyone who is setting out on this kind of activity needs to know that society repudiates their actions. The clearest sign of repudiation of that kind of activity is the ability of the court to set down very strong custodial sentences to those who are involved. I would be going back to an earlier debate if I started to talk about minimum or mandatory sentences in these matters. I do not want to open that one up, but I think that everyone in the House will agree that there has to be a method to discourage people from getting involved. One way in which we can do that — it is within the power of the Assembly — is to look at the sentencing regime to see whether we can strengthen it.

Justice

PSNI: Overtime

1. **Mr Boylan** asked the Minister of Justice what action he has taken to address the amount being paid out for PSNI overtime. *(AQO 6865/11-15)*

Mr Ford (The Minister of Justice): I have had general discussions on the police budget with the Chief Constable and members of the Policing Board. The allocation of the police budget, however, is an operational matter and, therefore, the responsibility of the Chief Constable, who is accountable to the board. It is not for me as Minister.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his reply. Will he give some consideration, when future planning, to whether the cost of police overtime will increase or decrease over the next number of years? Will he factor that into any consideration?

Mr Ford: It is clear that current changes will make it difficult for the police to manage the budget in line with their overall responsibilities, but I repeat that, operationally, I cannot go into the detail of how the Chief Constable chooses to divide his budget. If there are fewer officers at times, he may feel compelled to increase overtime. On the other hand, with a general reduction in budget, it is very difficult to see how that overtime can be increased significantly. I repeat: it is not for me to tell him how to allocate that budget.

Mr Principal Deputy Speaker: Mr Danny Kinahan is not in his place.

Mr D McIlveen: The Minister will be aware that, in light of the budgetary pressures, his Department has undergone a 4·4% decrease in its budget in the incoming year. However, the PSNI has had to undertake over 7%. Will the Minister confirm, as the Chief Constable has hinted, that he is putting barristers before bobbies?

Mr Ford: That is not a hint that I recognise from anything said by the Chief Constable. The Chief Constable has to live within the budget that is allocated to the PSNI, just as every other spending area of the Department of Justice has to live within its spending limit. The reality is that there were significant pressures in the Department of Justice, not least because we had not driven through the programme of legal aid as fast as would have been hoped, and some matters have been resting before the Justice Committee for some months.

All that has contributed to a build-up on the current pressure, which, faced with the decision of the Finance Minister and the Executive to change the basis on which the DOJ budget was ring-fenced in-year without warning, has given significant difficulties to the Department of Justice. Given that there have been significantly greater cuts over the comprehensive spending review period to the block as a whole because of the linkages to the Home Office and the MOJ, further severer cuts have now been imposed on the Department of Justice. Given the existing legal pressures under which legal aid is obliged to be paid, it was simply not possible to protect all the spending areas that we would have wished to.

Mrs D Kelly: Notwithstanding that police overtime is an operational matter for the Chief Constable, does the Minister agree that much of it is because of the failure to show leadership at public order events, particularly parades and protests? Therefore, if there are any gaps in the legislation that need to be filled, would the Minister look at giving political cover to the Chief Constable for charging for such events?

Mr Ford: I certainly agree with Mrs Kelly's first point, which was that a very significant amount of overtime is related to public order issues, as I have said in the Chamber on more than one occasion and, I fear, may have to say on more occasions.

As to the precise issue of charging for events that happen in open, public spaces, there are significant issues that go beyond the kind of instant response that we might wish for. I have no doubt that some Members would wish particular bodies to be charged for events that they hold in the open air, and perhaps other Members would prefer that other people were charged. That is a measure of the difficulty. We need a resolution to the kind of problems that have led to public order difficulties on the streets over the last couple of years. We need political leadership, which the First Minister just talked about, coming into play in a talks process so that we can cut back on public order disputes and, incidentally, on the expense of policing them.

Ms Boyle: Go raibh maith agat. Can the Minister commit to providing extra resource to the ombudsman's office in light of the additional funding that he received lately?

Mr Ford: It is a slight jump from the funding of the police to the funding of the Office of the Police Ombudsman, which is, I take it, what the Member meant. The reality is that the Office of the Police Ombudsman is being protected very significantly compared with other aspects of Department of Justice spending. It is the only spending area in the justice family to have an increase in expenditure over the last three years, and, this year, it is suffering monitoring round cuts of no more than the average, the 4·4% that has just been spoken of. That seems to me very significant protection for the Police Ombudsman.

Mr Wilson: Given the concern from the SDLP and Sinn Féin about the pressures on the police overtime budget, does the Minister agree that one simple way of reducing those pressures would be for those two parties to stop manufacturing contentious parades that require additional policing and therefore increase the police overtime bill?

Mr Ford: It would be so much nicer if, when the Member was asking me to agree with him, he did not stand wagging his finger at me in a manner that is coming close to being unparliamentary.

I thought that I made general points about contentious parades and public order matters. They were not in any sense aimed at one particular group that organises such parades. The reality is that we have problems with parades and protests in different areas and with people from different backgrounds, although I was not aware that the SDLP organised many, so perhaps somebody can tell me about that in the next question. Clearly, there are significant concerns about the imposition on public order and the concomitant difficulties in community relations that come from a number of parades and related protests. As I said earlier, I hope that that will be ended by a resolution in the talks process.

Mr Principal Deputy Speaker: Here at least, we will move on.

Prison Review: Budget Cuts

3. **Mr McKinney** asked the Minister of Justice for an update on the work of the prison review oversight group, including the impact that the proposed budget cuts will have on the implementation of the 40 recommendations contained in the prison review team report.
(AQO 6867/11-15)

Mr Ford: To date, the prison review oversight group, which I chair, has deemed 16 of the 40 prison review team (PRT) recommendations complete. The group referred a further 17 recommendations to Criminal Justice Inspection Northern Ireland (CJINI) and the Regulation and Quality Improvement Authority (RQIA), as appropriate, for independent assessment. This means that 33 of the 40 recommendations are complete or under assessment. I expect that the seven remaining recommendations will be brought to the oversight group in December 2014 or March 2015.

This reform programme has been about modernising the Northern Ireland Prison Service (NIPS) to ensure resources are best directed at reducing reoffending and making the community safer. As part of that, we have also developed a more efficient and effective service. The foundations have been laid for lasting change. However, the economic challenges that we now face were not envisaged by the prison review team when it made its recommendations.

The review team anticipated that savings made through reform initiatives such as the voluntary early retirement scheme could be reinvested in prisons, but this has not been possible; nor has it been possible to invest as much in the voluntary and community sector as the review team and I had hoped.

Whilst my ambitions have not diminished, the reality is that difficult decisions will need to be made on how NIPS delivers for everyone in Northern Ireland.

Despite the cuts, the reforms being overseen by the prison review oversight group are significant and lasting. While the budget reduction is challenging, I believe that we can continue to deliver a modern, focused prison service with partnership working to reduce offending at its core.

Mr McKinney: I thank the Minister. I hear from him that the budgetary cuts are impacting severely, if I am not putting words in his mouth. What impact will there be on the provision of health care, including mental health care, in the Prison Service?

Mr Ford: Mr McKinney referred to the general issue of cost. Let me give a couple of figures. At the time of devolution in 2010-11, the cost per prisoner place was almost £74,000 per year; it has been reduced to, in the last financial year, under £63,000. That is a 21% reduction anticipated by this year — a significant improvement in efficiency. The specific point that he highlighted was around health care, specifically mental health care, which I acknowledge is a significant issue for prisons. Actually, as it is now the responsibility of the South Eastern Trust, it is an issue for DHSSPS to address, not DOJ. Clearly we work in partnership, but the precise issue of how services are provided is not something that I can answer.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I think the Minister for his answer. He gave some indication about the roll-out of the implementation plan. Can the Minister provide some update as to its impact on Maghaberry prison?

Mr Ford: I believe that there has been a significant impact across all three prisons, not just Maghaberry. For example, at Maghaberry we have seen, with the opening of Quoile House, significant work being done with those who wish to reduce drug dependency, and work being done on the Family Matters landing. I also visited, in Glen House, a specific, intensive project for 12 prisoners seeking to come off drug habits. All of that is related to ensuring that people are less likely to reoffend when they come out. There has also been ongoing engagement, particularly through Business in the Community, with potential employers to ensure that we provide the opportunities for people to get employment when they leave and, therefore, be less likely to reoffend. All of those are significant issues, working with partners in the voluntary and community sector, and with staff being used in a more effective way to promote the rehabilitation of prisoners. I think that we have seen significant improvements from that work at Maghaberry and in the other two institutions.

Mrs Dobson: Minister, why is there no progress in reducing the misuse of drugs in prison?

Mr Ford: I have just given examples of work being done to reduce drug dependency in prison. There is clearly a significant drug problem in prisons, just as there is in the whole of society. Sadly it is not something that can be avoided in prisons when it is so prevalent elsewhere. However, there is work being done around education and prevention, and there is work being done to assist those who indicate a willingness to come off drugs in different ways. There is no doubt that, for example on some of the preventive work, a much more focused programme of intelligence-led rather than random searching has led to a reduction in the number of searches but an increase in the

amount of drugs found. That is an indication of good work being done in the Prison Service.

PSNI: Limavady

4. **Mr Campbell** asked the Minister of Justice for his assessment of the difficulties faced by the PSNI and the people detained in the Limavady area, since the decision to close the custody suite at Limavady Police Station. *(AQO 6868/11-15)*

Mr Ford: The decision to close the custody facilities at Limavady police station is an operational matter for the Chief Constable. I understand that the Chief Constable has already outlined his reasons for the closure to the Member and indicated that he is confident that it will not impact on crime levels or outcome rates in the area.

Mr Campbell: I thank the Minister for the response. However, is he aware that my information is that, shortly after the Limavady custody suite was closed, the Coleraine custody suite was also closed temporarily? Has he an indication from the Chief Constable as to when the Coleraine custody suite will reopen, given that the current position is that many people being detained have to travel 50, 60 or more miles for custody?

Mr Ford: I have no specific information on the Coleraine question. However, given that in the Limavady area — policing district G — there are currently operational custody suites in the Waterside, Strand Road and Strabane, I am not quite sure how anybody from that direction would be travelling 50 or 60 miles.

If it is an issue for Coleraine, then the distance from Coleraine to Antrim, where there is a very significant custody suite, is somewhat less than 50 miles.

3.00 pm

Historical Institutional Abuse: Victims

5. **Mr Poots** asked the Minister of Justice what assurances he can give that victims of historical institutional abuse will have their cases brought before a court where sufficient evidence is provided. *(AQO 6869/11-15)*

Mr Ford: Where individuals commit serious crimes, the shared focus of our justice system is to bring them to account for their actions. Where there are allegations of historical institutional abuse, it is the responsibility of the police to gather and present evidence and of the Public Prosecution Service to assess the strength of the case prepared by the police and determine whether it should proceed to court. As Minister of Justice, I, quite rightly, have no direct role in that process. Consequently, whilst I can confirm that the PSNI is devoting considerable resources to investigating historical institutional abuse, it is a matter for police officers to present the outcome of their investigations and for the independent prosecution service to determine whether that constitutes sufficient evidence to bring such cases to court.

Mr Poots: I thank the Minister for his answer. I welcome the fact that he included the PPS because, last week, when responding on the Maíria Cahill issue, he referred solely to the Police Ombudsman who, of course, has no responsibilities for the PPS or, indeed, for Northern Ireland Office interference. Can I have an assurance from the Minister that, in investigations into historical abuse, whether it is a police officer in Kincora, a priest in Rubane or a Provo in west Belfast, there will be no untouchables when it comes to paedophile abuse?

Mr Ford: As Minister, I cannot guarantee — I think that that is the term the Member used — that that is the case, but it is certainly my belief that there are no untouchables in the way that the PSNI and the PPS conduct their responsibilities in the present day. There are clearly difficulties in dealing with those points when we go back a number of years. That is what is coming from the historical institutional abuse inquiry, and I have seen no evidence to suggest that any matters that arise will not be properly considered by the agencies responsible for investigation and prosecution carrying out their duties fairly and impartially.

Mr Nesbitt: The Minister will be aware that much historical abuse did not take place in institutions, leaving people like Maíria Cahill feeling abandoned. What are his proposals for ensuring that such victims are not left feeling like second-class citizens compared to the victims of institutional abuse?

Mr Ford: The Member has highlighted one particular issue concerning one particular young lady, and that is obviously a matter that causes considerable concern to many of us given the way that it was reported in the media.

Running into the issue of an inquiry is more difficult in the context where we are merely, at this stage, talking about one case. If there are others, as has been hinted at by Ms Cahill, whom she is aware have been similarly abused, I urge them to come forward, however long it may be since their abuse, and make their concerns known to the police so that they can do their work and prepare a file and pass it to the Public Prosecution Service. That is what we hope anybody would do, and, in current circumstances, I believe that there is no reason why anybody should not be prepared to put their trust in the work to be done by the PSNI and the PPS.

If wider issues emerge from that, it may well be that there are appropriate issues to be considered by a public inquiry, but the important issue at this stage is that any of us who have any influence should encourage anybody who is in that position to come forward, however difficult the issues may be and however long ago it may be, and report their concerns and ensure that the police have them investigated.

Mr Milne: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister reaffirm that all investigations and prosecution processes should be free from political interference?

Mr Ford: I detected an irony warning immediately to my right. I can certainly confirm that all investigations into any criminal allegation should be free from political interference, but, of course, I cannot guarantee that other politicians will not attempt to interfere.

Mr A Maginness: I thank the Minister for his previous answers. The most interesting answer was, of course, that if there are other people affected in a similar way to Maíria Cahill, the Minister could see a public inquiry. Is the Minister saying that he himself would try to set up that public inquiry, and is he committed to that if other victims emerge?

Mr Ford: I do not think that I am in a position to commit to such an inquiry. It seems to me that such a thing

would have ramifications rather beyond my Department. However, I can only repeat the first point that I made. The important issue is that individuals come forward and make the police aware of what happened to them. That may then give us an assessment of the issues that may need to be addressed. Frankly, that goes back to the point that I made during the early part of Question Time about the wider issues concerned with reconciling the past and seeing how different institutions behaved at different times in the past as we seek to build a different and shared future.

Youth Engagement Clinics

6. **Mr Lunn** asked the Minister of Justice for an update on the plans to roll-out youth engagement clinics to all police districts. *(AQO 6870/11-15)*

Mr Ford: Youth engagement clinics have been operating successfully in Belfast since October 2012, and I am pleased to say that the plans to roll out youth engagement clinics to all police districts are well advanced. Training is currently being delivered to police officers in H district with a view to clinics being available in areas such as Ballycastle, Ballymena, Ballymoney, Coleraine and Larne by the end of November. Training will then be completed in the remaining police districts with a view to clinics being operational right across Northern Ireland in the first quarter of 2015. Based on experience to date, I am confident the clinics will help reduce the number of cases involving young people that proceed unnecessarily to court, and thereby improve processing times for youth court cases.

Mr Lunn: I thank the Minister for his answer. Will he outline how the youth engagement clinics that ran during the pilot programme affected performance in youth cases?

Mr Ford: The key answer to that is that the pilot established significant successes for youth engagement clinics in terms of resolving issues more quickly than would have been dealt with by a court or even if they were disposed of by police by a different kind of diversion outside the youth engagement clinic. The analysis of the data gathered from the pilot in Belfast found that the average processing time was 39 days as opposed to 53 days for non-clinic diversion cases. The performance in youth cases in Belfast improved significantly. In the first quarter of this year, the time taken to prepare and submit a charge file was 11 days rather than 22 days in the same period in the previous year, which is very significant and shows that good work is being done and that the improvements are continuing in Belfast. I

t is absolutely clear that by maintaining this pathway to deal with low-level offending, we are able to see improvements in services for them, and also the concentration of resources on those where there are more significant issues. They have certainly been able to ensure that young people access the supports that they need to keep them off a reoffending path at an earlier stage, to the benefit of them and the community.

Mr Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Is the Minister satisfied that the PCSPs should be really to the fore of ensuring maximum public engagement between the PSNI and the public?

Mr Ford: I really cannot see what PCSPs have to do with youth engagement clinics. My views on the need to maximise the efforts of PCSPs are well known to the House.

Mr Swann: The Minister indicated that those youth engagement clinics will be rolled out across my constituency. Does he agree with those who seem to intimate that those clinics can be an easy and soft option for young offenders?

Mr Ford: I think that all the evidence is to the contrary. Many young people have said that they are being forced, at an early stage, to confront the consequences of their reoffending and, in many cases, to have a direct meeting with those whom the crimes were against. That is actually a more difficult task than waiting a few months and being given a fine or whatever. That is the whole point of the restorative approach that is taken in the youth justice system: it actually ensures that young people face up to the consequences of their behaviour, and they are then less likely to reoffend than if they were simply treated in a conventional way with a fine or whatever.

Mr Principal Deputy Speaker: I call Ms Bronwyn McGahan.

Ms McGahan: Go raibh maith agat. Question 6. Sorry, question 7.

Agriculture Crime: South Tyrone

7. **Ms McGahan** asked the Minister of Justice how the rural crime unit is tackling agriculture crime in south Tyrone. *(AQO 6871/11-15)*

Mr Ford: I was going to answer question 7 anyway, Principal Deputy Speaker. The PSNI rural crime unit is a central resource for identifying trends and patterns of rural crime. The information is used by police commanders to enhance the effectiveness of their operational tactics in preventing and detecting rural and agricultural crime. The unit is supported by a data analyst, who is part-funded by my Department.

At a regional level, the work of the unit resulted in an initiative whereby over £3 million worth of agricultural equipment has now been fitted with security devices. At a strategic level, the work of the unit is supported by the rural crime partnership. The partnership, led by my Department, comprises representatives of the PSNI, NFU Mutual and the Department of Agriculture and Rural Development. The partnership recently met a range of stakeholders, including the Ulster Farmers' Union and the National Sheep Association, to seek their views on livestock theft. Discussions are ongoing to develop actions to help address that issue.

The unit's impact is reinforced at a local level by interventions delivered by PCSPs in conjunction with the PSNI. In south Tyrone, those have included Farm Watch, text alert schemes for farmers, trailer-marking and the provision of multipurpose security locks.

Ms McGahan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his response. The remit of the rural crime unit is to help the PSNI utilise its resources in the most effective way. Can the Minister elaborate on how the unit can be used on a cross-border basis, given that Augher, which happens to be a hotspot for rural crime, is on a border with County Monaghan?

Mr Ford: I am always surprised when any MLA highlights their constituency as being a hot spot for crime, but it is the sad reality that, if we look at livestock thefts, we will see that the two counties out of 32 on the island that had the worst statistics last year were Armagh and Tyrone. The Member correctly highlights the problem that we have to address.

There are issues that clearly need to be addressed regarding the traceability of cattle in particular — sheep are more difficult — and there are issues where, on a cross-border basis, the work of the rural crime unit in analysing the data is of assistance to the PSNI as it works in cooperation with an Garda Síochána to deal with issues where there are clearly some cross-border movements of stolen livestock. However, ongoing vigilance is required, and we have yet to see the full statistical results of the rural crime unit's first year of operation, which is only just complete.

Mr Elliott: The Minister will be aware that, less than two weeks ago, the Chief Constable indicated that community policing in rural areas would become virtually non-existent. How worried is the Minister about that, particularly in places such as Fermanagh, south Tyrone and Armagh? Has he had any discussions with the Chief Constable about the situation?

Mr Ford: I frequently discuss those sorts of general issues with the Chief Constable. When he talked about the type of policing that is likely to become non-existent, he was specifically talking about neighbourhood policing as opposed to response policing. We need to be careful that we do not raise hairs unnecessarily.

There is no doubt that, at a time of increasing difficulty, there will be problems for the PSNI in continuing to maintain services, and it is having to prioritise. That is why it is clear that certain difficult areas will be a priority for neighbourhood policing, while other areas will simply go back to the situation as it was not too long ago, where there was less of a neighbourhood policing input and more of a response policing input. However, the challenge is for the Chief Constable to determine exactly how he allocates resources. I can only report in general on what he said.

Hydebank: Secure College

8. **Mr McCarthy** asked the Minister of Justice what progress has been made in transforming Hydebank Wood Young Offenders Centre into a secure college. *(AQO 6872/11-15)*

Mr Ford: I am pleased to say that my Department has made significant progress in the challenging process of transforming the young offenders' centre into a secure college. The NIPS has worked to put in place the structures, processes and cultural change necessary to deliver a college that will not only meet the needs of those in custody but give them the skills that they need to build a positive life when they are resettled back into the community. Helping young offenders to change their life will in turn help make Northern Ireland safer.

Design principles have been developed that capture the vision, ethos and direction for the college, which we will implement in full from transition in April 2015. A number of significant developments that will provide the infrastructure for the college have been made. Those include a draft timetable across all residential areas. Progress has also been made on a curriculum for the college that will meet the specific needs of the prisoners and address educational underachievement by many of those in custody. The college will also build transferable vocational skills in areas such as horticulture, catering, construction trades and industrial cleaning that will help make the young men more employable when they are released back into the community. I recently chaired a meeting of the oversight group at Hydebank Wood and discussed the college development with the senior team in the Prison Service.

3.15 pm

Mr McCarthy: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his very detailed response. Will he tell the Assembly whether the good work that is being done in Hydebank Wood could be replicated throughout all the Northern Irish prisons?

Mr Ford: Of course, the specific issue of a secure college for Hydebank Wood is not quite the same thing as would apply in the two adult male prisons. However, there is no doubt that a lot of good work is being done around rehabilitation in that context.

When I last visited Magilligan in the summertime, over half of the prisoners in Foyleview, the open aspect of Magilligan prison, had been out the day before engaged in constructive and positive work for local churches, charities and community groups. That was a sign of the kind of positive engagement around rehabilitation that happens there. The recent opening of Burren House on the Crumlin Road, as the working out unit for Maghaberry, is giving more prisoners the opportunity in the latter part of their time in custody to engage constructively and positively with the community.

There are, of course, educational opportunities in Magilligan and Maghaberry, but they are at a slightly different level from those that are aimed specifically at the younger offenders in Hydebank Wood. However, it is all part of a joined-up approach to try to ensure that, as far as possible, when people leave prison they have some sort of family support, some worthwhile activity, whether it is employment, education or further training, and suitable accommodation to live in. That is what makes society safer.

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move to topical questions.

Talks: Dealing with the Past

T1. **Mr Lunn** asked the Minister of Justice whether he agrees that, now that a new round of talks is under way, the dreadful revelations about the past that have emerged in recent days, some of which have been referred to today, make the case even more forcibly for a new and effective means with which to deal with the past. *(AQT 1631/11-15)*

Mr Ford: I have said it before now, and I fear that I may be repeating it, but the budget of the Department of Justice is a budget for dealing with the present and not the past. There are many issues of the past that seem to me to be only being dealt with by the Department of Justice, with the current exception of the historical institutional abuse inquiry.

It is absolutely clear that we need agreement on appropriate structures to meet the needs of the past. The revelations that came through last week from Maíria Cahill are a reminder that there is a variety of issues from the past that need to be addressed. Those will

require a joined-up approach by parties working together, the Executive working together and, hopefully, the two Governments working in conjunction with us.

Mr Lunn: I thank the Minister for his answer. Whatever is agreed and promised to victims has to be deliverable. Will the Justice Department have a role to play in providing advice to the process to ensure that any new process is effective, efficient and article 2 compliant?

Mr Ford: I suppose that one of the difficulties that we saw during the talks that were led by Dr Richard Haass last autumn was that there was not the sort of information that has just been highlighted — whether that information comes from the Department of Justice or other Departments — about how things work within Northern Ireland. During the subsequent party leaders' talks in the early part of this year, my Department supplied a couple of papers to the party leaders' meeting. Those looked at issues relating to the past, how matters are currently being handled and how they might be better handled. If, as we go through the detail of the current round of talks, such papers are requested, my Department will certainly provide them. We currently bear the brunt of much of the difficulty of the past, and I am keen to ensure that we play our part in resolving the past.

Paul Quinn: Murder

T2. **Mr D Bradley** asked the Minister of Justice whether he is aware that today is the seventh anniversary of the dreadful murder of Paul Quinn who, in the words of the Independent Monitoring Commission, was murdered by current and former members of the IRA, and, given that, what message he has for those in south Armagh who have information about that terrible crime and those who attempted to criminalise Paul Quinn. *(AQT 1632/11-15)*

Mr Ford: Mr Bradley raises a very serious point. I confess that, although I saw some publicity last week, in the middle of everything else I was doing today, I had forgotten that this was the seventh anniversary. However, I had some meetings around that time, and I am well aware of the tragedy that that was for the Quinn family and others.

My message is the same one that I have just put out in other respects. Anybody who has any information about any criminal activity has a duty to report it to the PSNI so that the PSNI can investigate properly and, if there appears to be enough evidence for them to do so, pass a file to the Public Prosecution Service so that it can determine whether there should be a prosecution. That is the responsibility of each and every one of us as citizens. It is also the responsibility of political leaders to put that point to the community and encourage those who have information to report crime.

Mr D Bradley: Go raibh maith agat arís, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his answer. In light of what he said, will he join with me in meeting Stephen and Breege Quinn, Paul Quinn's parents? Will he also meet his counterpart in the South to bring himself up to date with the latest developments in the case?

Mr Ford: I thank Mr Bradley for those points. On his latter point, as Members know, I meet my colleague the Minister for Justice and Equality fairly regularly and frequently, and I am certainly very happy, when I next meet Frances Fitzgerald, to raise the issue with her.

On the specific issue of meeting Mr and Mrs Quinn, I frequently meet people who feel that they have been let down by the justice system in the past. I tend not to flag up those meetings in the media. I believe that, in those circumstances, things are better done with some discretion. Frequently, there is very little that the Minister can do but, if the Minister listening provides some measure of comfort to bereaved families, I am happy to use my time to provide that measure of comfort and assistance. If Mr Bradley wishes to talk about that privately with me later, I will happily discuss it with him.

Organised Crime: Larne

T3. **Mr McMullan** asked the Minister of Justice whether he is satisfied that the courts are doing enough in sentencing those involved in major organised crime in the Larne area. *(AQT 1633/11-15)*

Mr Ford: I need to be ever so slightly careful. There are a number of threads in that question. I need to be extraordinarily careful, as Minister, that I do not appear to be second-guessing the work of judges. I may talk about issues in general, and Members may talk in here about sentencing policy in general, as, indeed, we did earlier with human trafficking. However, we all need to be very careful that we do not stray beyond our specific role, and I need to be particularly careful, as Minister, that I do not stray beyond my role into issues of sentencing in individual cases.

The Member also highlights the Larne area. Frankly, my concerns are to ensure that I provide the appropriate support to all the justice agencies in dealing with serious and organised crime in every part of Northern Ireland, using the available resources and working in cooperation with our colleagues in an Garda Síochána and in England, Wales and Scotland. Hopefully, at some point in the near future, we will also bring in the services of the National Crime Agency to deal with the serious crime that it can fight. That issue applies in every part of Northern Ireland. So whilst the Member may wish to highlight Larne in particular, as Minister, I will put my concerns about the whole of Northern Ireland to the forefront in ensuring that justice agencies are assisted as best they can be in dealing with those issues.

Mr McMullan: Go raibh maith agat. I thank the Minister for that intriguing answer. Does he agree that the publicity that Larne has had recently and in the past shows that it is in the grip of loyalist paramilitaries and that that still goes on today? Earlier this year, 200 took over the town one night and caused mayhem, and we are still waiting to see whether any of them will be brought before the courts. It is my responsibility to provide answers when I am asked about it by the community. Will the Minister ensure that those who have been arrested and charged will be brought before the courts soon?

Mr Ford: I wish to see people who are guilty of crimes being arrested and brought before the courts soon, but I have no responsibility whatsoever for ensuring that that happens.

Mr Principal Deputy Speaker: I will not call the Member who is listed to ask topical question 4.

Illegal Abattoir: County Monaghan

T5. **Ms Ruane** asked the Minister of Justice whether he has had any contact with his counterpart in the South of Ireland following the serious matter of the find of an illegal abattoir in County Monaghan at the weekend. *(AQT 1635/11-15)*

Mr Ford: I have not had any specific contact with my colleague about the illegal abattoir in County Monaghan. If there are specific issues that Ms Ruane thinks that I should be raising with Frances Fitzgerald, I have no doubt that she will now take the opportunity to tell me what they are.

Ms Ruane: I strongly urge the Minister to engage with all relevant Departments, North and South, because this is a very serious matter, and I trust that the Minister sees that. It is important to be in contact with the Health Departments because of traceability and potential health concerns.

Mr Ford: I appreciate the serious points that have been made. I am not sure whether Ms Ruane was in the House when I answered an earlier question from her colleague Ms McGahan on the issue of livestock thefts and cross-border movements of livestock, which was highlighted from the south Tyrone side rather than the Monaghan side. I am well aware of those difficulties.

It is an issue on which there has been engagement between my Department and DARD, and I have no doubt that that will continue. There is also a concern about illegal abattoirs and the health standards operated in them. That principally involves DARD and DHSSPS on our side, and their southern departmental equivalents may also be involved.

There are real issues that tie into wider matters of organised crime that we have talked about. The PSNI has been leading the Changing the Mindset project on counterfeit goods and dubious services in Northern Ireland. We need to let people know that, if they are buying something, whether it is a dodgy DVD, inappropriate perfumes, batteries or meat, and it seems to be too good a bargain to be true, it almost certainly is. In the case of foodstuffs, there is the potential for significant health issues. Those involved in any part of the food supply chain need to carry out their duties properly to ensure the full safety and full security of the food chain throughout. Customers must ensure that they are careful about where they buy their produce and do not get taken in by backstreet or car-boot deals that are too good to be true.

Early Intervention: Cross-departmental Work

T6. **Mr Agnew** asked the Minister of Justice for an update on the cross-departmental work that has taken place on early intervention. *(AQT 1636/11-15)*

Mr Ford: There have been a number of issues relating to early intervention over the last couple of years. My Department has tended to be a minor partner in that. In the good preventative work with families to ensure that young children do not get into a variety of difficulties in the future, the Health and Education Departments have a larger role and will see returns more quickly than the Justice Department. Nonetheless, we are partners in some projects because the justice system has a role to play and could benefit from such interventions.

Mr Agnew: I thank the Minister for that information. What are the benefits of cross-departmental work in early intervention?

Mr Ford: In a general sense, sometimes we do not see the significant benefits of cross-departmental work because our Departments are set up in silos. Mr Agnew has highlighted the fact that we need Departments to work together better. That applies across a variety of areas, and there is no doubt that, as we look at the resource problems that we face and the variety of difficulties that comes from those, we need to ensure joined-up working in as many different places as possible. In early intervention cross-departmental working, there is no doubt from research here and in other parts of these islands that, in many cases, a small number of families in a neighbourhood may make significant demands on education, health, social services, justice, housing and employment. There is no doubt in my mind that intensive intervention to support those families would give them significant benefits. In particular, it would give the children in those families significant benefits to ensure that they got better opportunities as they grew up, their health was better, they took their educational opportunities and, in an ideal world, did not come into contact with the justice system in an unfortunate way in their teenage years. Those are the benefits of the work that we have been seeking to pioneer over the past year.

3.30 pm

Car Crime

T7. **Mr Sheehan** asked the Minister of Justice for an update on his Department's continuing efforts to reduce car crime and so-called joy riding. *(AQT 1637/11-15)*

Mr Ford: Again, it is not so much my Department's efforts around car crime as those of the justice system as a whole. At the first level, we see the work of the PSNI in dealing with car crime. They have to decide, given their list of issues, how they prioritise areas of crime and what resources they can put into them. There is also work being done around the preventative area, for example by the Youth Justice Agency, because there are issues that are more than just dealing with crime when it happens but about preventative work. It is almost the same thing that I was highlighting to Mr Agnew about early interventions. There is early intervention work to be done not just among the families of very young children but among younger teenagers to prevent them from getting into crime and to stop them when they are in danger of getting into crime and antisocial behaviour.

Private Members' Business

Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: Consideration Stage

Debate resumed on Question, That clause 1 stand part of the Bill.

The following amendments stood on the Marshalled List:

Nos 1-23, 27, 40, 50, 60-61.

Mr Dickson: I welcome this opportunity to speak on the group 1 amendments. Before getting into the detail of what I wish to say, I thank Lord Morrow for bringing the Bill to the House, and Justice Minister David Ford for the excellent work that he and his departmental officials undertook in working with Lord Morrow to bring to the House a Bill that can be debated and, hopefully, a great deal of which can be enacted.

There is no doubt that we have questions of difference on some matters on how we would address the evil of human trafficking. However, I genuinely believe that Lord Morrow and I share a common determination, along with the Minister of Justice, to see it ended. It is in that spirit that many of the amendments tabled jointly in the names of Lord Morrow and the Minister will find favour in the House today.

The Bill has not only helped to further highlight the issue but has sparked a thorough and rigorous debate about our approach. We are very much part of a debate that is happening across western Europe and, indeed, the wider world.

Turning to some of the amendments, I welcome the creation and consolidation of new offences under clauses 1A to 1D, which, in line with what is considered internationally to be best practice, will bring those offences together under one Act and thus simplify the legislative framework.

It is appropriate that offences under clause 1A are triable only in a Crown Court to demonstrate the seriousness and abhorrence with which they are viewed. I also welcome the fact that a victim's consent will be viewed as irrelevant. For example, we know that some individuals may consent to being moved across borders, not knowing what awaits them. We are saying loud and clear that, if you traffic someone, there will be no excuse and you will face justice.

I move to clause 4. I have no doubt that Lord Morrow advocates mandatory minimum sentences with the best of intentions. However, good intentions do not always make good policy. We need to be mindful about what produces the best result. I continue to have deep reservations about imposing mandatory minimum sentences.

We need to ask ourselves whether justice is best served by our assigning fixed penalties to specific crimes or is it best to allow the judiciary to consider the aggravating and mitigating factors and to decide on the most appropriate sentence within a sentencing framework.

Mr A Maginness: I thank the Member for giving way. In relation to clause 4 and the point that you have made, the Justice Committee heard from the Attorney General, Mr Larkin. It was his opinion that clause 4 was "not a hard minimum-sentence model" and his view was that, in certain circumstances, any judge would:

> *"be free to depart from that predictive statutory minimum".*

In those circumstances, surely there is enough flexibility to meet the concerns that the Member has just stated.

Mr Dickson: I considered what the Attorney General said to us but I believe firmly in the underlying belief and right for our judges, within a framework, to determine the appropriate sentences. Indeed, I read recently of how the judiciary may inform itself as to how a case should be dealt with. In the lack of any other formal guidance, when it comes to determining how matters should be dealt with, the judiciary may even take view of debates in the House and particularly the comments of the Minister of Justice. That is the most appropriate way in which these things should be handled. I firmly believe that sentencing is a matter for the courts, within that framework, and that judges are in the best position to consider the unique circumstances of each case.

It is important to note that, where a court might have treated a matter too leniently, the state can appeal and a higher penalty can be given. Indeed, a recent case in Northern Ireland demonstrated that. Those cases can be tried in the High Court and be added to the list of offences for which courts can award an indeterminate sentence. So there can be no argument that we are not treating these offences seriously enough. Furthermore, I have considered this in detail and, although some Members have advocated mandatory minimums for other crimes, I have not seen anything to suggest that they have verifiable deterrent effects. I nevertheless understand that, across the Chamber, there is much sympathy for this measure. If it stands part of the Bill, at least we will have an amendment that will ensure that it does not apply to under-18s, which was another of my major concerns about the initial clause.

In short, my view is that mandatory minimum sentences do not represent sound criminal justice policy. We should not tie courts' hands but let judges take decisions freely, based on the evidence presented to them. There is an important principle of judicial discretion that must be upheld.

Mr Buchanan: First, like other Members, I commend Lord Morrow for bringing the Bill to the House. Hopefully, we will see its passage through the House without too many objections. Today, I direct my comments against the attempt to remove clause 4 from the Bill and in favour of the amendments put forward by Lord Morrow.

Clause 4 would require a court to set down a minimum sentence of at least two years for an individual convicted of a human trafficking or slavery offence. The clause allows for a judge to derogate from this two-year minimum in cases where the court believes that there are exceptional circumstances relating to the offence or to the offender that justify not imposing the minimum sentence. A number of amendments have been proposed to the original clause since the Bill's First Reading. These amendments include ensuring that a minimum sentence cannot be levied against a child and ensuring that, should a judge derogate from imposing the minimum sentence due to exceptional circumstances, he or she is required to outline why they have done so. These amendments seem sensible, and I am happy to support them.

Lord Morrow would be the first to admit that his Bill was not the finished article when he introduced it to the House. It

is to his credit that he has been willing to work with others to improve the Bill. This clause is in the minority of clauses that have been the subject of disagreement between Lord Morrow and the Minister of Justice.

The debate up to now can be summarised very simply: Lord Morrow believes that it is wholly appropriate for this elected House to lay down appropriate minimum sentences for particular offences. On the other hand, the Minister of Justice believes, on a point of principle, that it is wrong for the Assembly to fetter the discretion of judges in sentencing. I believe that the introduction of a mandatory minimum sentence for these offences, with the caveat of judges being able to derogate in exceptional circumstances, is the correct and proper way forward.

I will make three points in favour of retaining the clause. First, introducing a mandatory minimum sentence for these offences sends out a strong signal to our society that we take the offences very seriously and that every Member believes that human trafficking and slavery offences are heinous crimes that must be severely punished. Trafficking and slavery offences offend against the dignity of men, women and children who live in the Province or come to it. It is incumbent on us, as Members, to do everything in our power to stamp out this activity. Implementing a mandatory minimum sentence would act as a deterrent to those who seek to perpetrate these crimes and would show victims that we believe that the crime inflicted on them should be severely punished. To my mind, it is difficult to imagine a scenario where an individual found guilty of trafficking or slavery offences should be sentenced to less than two years in prison.

Secondly, mandatory minimum sentences already apply in Northern Irish law for particular offences. There is no constitutional block on introducing such sentences. As was pointed out at Second Stage, article 70 of the Firearms (Northern Ireland) Order 2004 sets out a minimum sentence of five years for those aged over 21 who are found guilty of a set of offences in the Order. I have yet to hear the Minister of Justice calling for the repeal of that article, considering his objections to minimum sentences. In England and Wales, minimum sentences exist with regard to drug trafficking, burglary and firearms offences. Other liberal democracies utilise minimum sentences for many offences. For example, in Canada, according to one think tank, there are currently 49 minimum sentences in operation for particular serious offences.

It is worth pointing out that the Attorney General and the Northern Ireland Human Rights Commission have no objection to introducing a minimum sentence in our Province. The Attorney General, in his evidence to the Justice Committee on 6 March 2014, stated that a minimum sentence is:

> *"a perfectly proper device if the legislature is satisfied as to its policy."*

The Northern Ireland Human Rights Commission, in its evidence to the Committee, stated that it did not take objection to clause 4 as long as it did not apply to children. Consequently, there is no question of the clause being constitutionally inappropriate or contrary to individual human rights.

Thirdly, mandatory minimum sentences are, in principle, an effective way to ensure that justice is done in our country. It is important to be clear that, contrary to the extravagant claims of some MLAs at Second Stage, the clause does not eliminate a judge's ability to lay down a proportionate sentence. In fact, it provides a stable range within which a judge can decide what a proportionate sentence would be. In this case, a judge can also derogate from laying down a two-year sentence if exceptional circumstances are involved in a case. It is also worth pointing out that the Northern Ireland Assembly has frequently fettered the discretion of judges in the sentences that they can enforce. That is usually seen in how the Assembly limits the punishment that can be laid down by the courts. The truth is that no judge has absolute discretion in the punishments that they can set down.

3.45 pm

I am pretty confident this afternoon — I could be wrong — that the Minister of Justice and other Members making the argument that it is wrong to fetter the discretion of judges would not be in favour of reintroducing the death penalty in the Province, yet that is the ultimate logic of the view that the Assembly should not fetter the discretion of judges. If the Assembly can dictate that certain punishments are beyond the limits of the courts — we do it all the time by limiting the maximum penalty for offences — surely it can outline certain punishments as appropriate for particular offences.

Clause 4 is a sensible one that serves a very useful purpose. It illustrates that human trafficking and slavery offences are deeply serious crimes that will not be tolerated by this society. It is also a measure that is proportionate and constitutionally acceptable. I urge Members from all sides of the House to reject the Minister's attempt to have the clause removed from the Bill and to accept the amendments put forward by Lord Morrow.

Mr Agnew: At the outset, on behalf of the Green Party in Northern Ireland, I welcome the legislation and the attention that it has brought to the issue of human trafficking. My perception is that in Northern Ireland our Police Service is already taking a lead role in tackling human trafficking in terms of its standards set within these islands. The Bill has brought a renewed focus and can help us continue to innovate and move forward in how we tackle human trafficking issues. I am given to understand that the Minister may well have brought forward some of the legislation and, indeed, in working with Lord Morrow, has helped to bring forward this Bill. There is no doubt that the Bill has sped up the process, and anything that we can do to expedite the updating of our laws on human trafficking should be welcomed — of course with the caveat that we have to get the legislation right. Lord Morrow's colleague Paul Givan referred to Lord Morrow being the modern-day William Wilberforce. Whilst I think that may be stretching it a bit far — perhaps if human trafficking was socially acceptable and legal it would be an apt comparison — there is no doubt that many of us in the House will welcome the legislation, as will many of the public.

I will quickly touch on some of the non-controversial amendments in this group that I would like to welcome. I welcome amendment No 21, which would see human trafficking treated as a lifestyle offence. It will further empower the police in their investigation and, indeed, the courts in sentencing. It is a welcome and useful addition to the original Bill. Amendment No 27 ensures that human

trafficking offences can be prosecuted even where a victim is reluctant to come forward. Given the nature of the crime we are talking about and the circumstances that many victims find themselves in — being coerced and intimidated and perhaps, in many cases, lacking the confidence to come forward — whilst of course having the victim come forward and act as a witness is always preferable and will strengthen the prosecution's case, it is important that no prosecution is derailed by the ability of those who commit human trafficking offences to intimidate their victims and perhaps circumvent the legal system through that method.

On behalf of the Green Party in Northern Ireland, I welcome the addition of the offence of forced marriage. It is important that this aspect of exploitation is included in the Bill. I think that the Bill is more complete in what it seeks to achieve by the introduction of this offence through this amendment, should it be passed here today.

I move on to clause 4, which is what has caused the controversy with this group of amendments. I oppose clause 4. I have failed to be convinced of the logic of it. I accept that it is not an absolute constraint on judges with regard to a minimum sentence, but there is no doubt that it is a change from the norm about which I am yet to be presented with the evidence. I know that one example was given of a minimum sentence in Northern Ireland law, but the fact that we are being drawn to one exception highlights how rare a situation it is. It was one that I was open-minded about, but I am yet to be convinced about the need for minimum sentencing. I am concerned that, rather than the driving force being evidence that the clause will reduce instances of human trafficking, which is what the Bill's priority should be, it is about being seen to be tough on human trafficking.

We can use any adjective we want. I abhor human trafficking; of course I do. It is a heinous crime; of course it is. That is a given. You would be hard pushed to find a Member in the House who would disagree with that. I think that the courts and judges would take a similar approach: that this is one of the most serious crimes that could be committed by a human being or group of human beings against another human being. I could think of little that is worse than to inflict slavery, imprisonment, abuse and coercion on a person. We should take it as a given that the courts will treat human trafficking with seriousness.

What I do not have in front of me to support the clause is evidence that it will help the courts, decrease instances of human trafficking or act as the deterrent that has been mentioned. What I do not have in front of me is the research that goes through every possible circumstance in which we would sentence in a case of human trafficking. There will be not only exceptional cases but instances in which there will be insufficient evidence to give the harshest of penalties. I have seen judgements in which the sentences given were for only what could be prosecuted for. It is a road that I would be concerned about going down.

What I do not want — it has, to some extent, been alluded to — is trial by public opinion. Judges will be presented with evidence on both sides. They will know the remit of their role. On the outside, we can often have an emotional response to what we hear about court judgements. Often, when we do not have the evidence in front of us, we may rush to judge a court judgement without being fully engaged with the facts. I do not think that it should be trial by public opinion or, in some cases, trial by the media. I fear that the drive behind minimum sentences is to be seen to be tough on crime. If we accept that human trafficking is a horrendous crime and that our judges and courts will treat it accordingly, we can accept that there is no need for minimum sentences in the Bill.

That said, the will of the House may well be that clause 4 passes, in which case I welcome amendment No 16, which would exclude children from the minimum sentences and about which, as has been highlighted, there may have been some children's rights concerns. In fact, there were undoubtedly some children's rights concerns with the clause in that regard. I welcome the recognition of that and amendment No 16, which would exclude children from the clause.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I, too, welcome the opportunity, as a new Committee member, to talk about the substantial and important legislation in front of us. Despite being on the Committee only a short number of weeks, I know that the workload, the amount of evidence taken and the direction of the Committee is commendable. Most people have touched on that today. I commend Maurice Morrow for a very assiduous approach to what is a very important issue to tackle. I welcome the evolution of the Bill, a Bill that now sits comfortably with European directives and, indeed, modern slavery legislation at Westminster. I welcome the fact that changes have been made.

Sinn Féin very much welcomes the new offence of slavery, which will include forced and compulsory labour, as we welcome the inclusion of the Finance and Personnel Minister's amendment on forced marriage, an issue that has received increasing publicity in recent years and that we need to get to grips with. I welcome the acceptance of the need for proper resources and training to be utilised in tackling exploitation, slavery and human trafficking. It is vital that the Bill builds on the need for effective exit strategies, compassionate care and a commitment to avoid the secondary victimisation of a victim. In the light of that, I welcome the amendment regarding the right of the victim not to give consent and that such consent is irrelevant in seeking prosecution by the state. That is a very important issue.

I want to touch on clause 4. Of course I agree that we must have robust and rigorous sentencing frameworks. Indeed, for an offence such as human trafficking and slavery, the penalty should reflect the gravity of the offence. However, we must not fall into the precarious situation where legislators feel it is proper to interfere with judicial discretion in such matters. Undeniably, minimum sentences are often the result of good intentions, but, all too often, good intentions do not make good judicial policies. Good policies and, indeed, good results should be paramount. It is with that in mind that I oppose any notion of minimum sentencing.

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

Surely, justice would be best served by enabling judges to be free to tailor sentences to the aggravating and mitigating facts of each case. Furthermore, minimum sentencing does not reduce crime; it is simply not the deterrent that was suggested earlier. As research indicates time and time again, it is simply false to suggest otherwise. The certainty of arrest, prosecution, conviction and punishment has a greater deterrent effect than the actual

severity of said punishment. Just as good law should rightly be tempered with equity, robust sentencing rules should leave well alone so that judges can determine the individual facts of the case.

Overall, however, I welcome the opportunity to consider the Bill today. As I said, it is a better Bill at this stage, and I look forward to hearing the rest of the discussions this afternoon.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the private Member's Bill and the opportunity to debate the important issue today.

The trafficking and exploitation of human beings is a degrading practice, and we have a duty to do all that we can to bring those responsible to justice. It is clear that human beings are being trafficked into and through the North by organised criminal gangs for exploitation here and elsewhere. That exploitation takes the form of sexual exploitation, the exploitation of labour and domestic servitude. It is also clear that the organised criminal gangs responsible have largely been able to evade justice. Although around 100 victims of human trafficking have been reported as having been rescued in the North in the past five years, there have been few successful convictions of actual traffickers. The criminal gangs responsible operate internationally, and any attempt to disrupt them and bring them to justice needs a joined-up approach involving a number of Departments and agencies, here and throughout these islands. That work continues through the immigration and human trafficking subgroup of the Organised Crime Task Force, which includes representatives of an Garda Síochána. It is important that we acknowledge that we legislate for one area of a common travel area and that our efforts must be coordinated on an all-island approach or, if you look at it that way, an all-islands approach.

The cross-border forum on human trafficking, which focuses on identifying victims and reducing demand, is an example of that cooperation.

4.00 pm

I commend Lord Morrow on his efforts in bringing forward the Human Trafficking and Exploitation Bill. I also commend the Assembly's Justice Committee, of which I am a member, for its work during the Bill's scrutiny. The Justice Minister has worked constructively with Lord Morrow and the Justice Committee to bring forward amendments to the Bill and, since its introduction to the Assembly, has published the second annual action plan on human trafficking and exploitation for Northern Ireland. The action plan identifies priority areas for the Department of Justice to drive forward during 2014-15: strengthening law enforcement, protecting and supporting victims, and preventing human trafficking and exploitation.

Official figures indicate that the scale of human trafficking in the North is relatively low when compared with the UK, with referrals making up only 2% of the overall figure. In 2013, the national referral mechanism (NRM) received 41 referrals of potential victims of trafficking here. Seventeen potential victims were referred in 2012, and 32 potential victims were referred in 2011. However, we must ensure that we are doing everything in our power to prevent these crimes in the first place and to respond robustly when they do occur.

The Bill, with agreed amendments, has much in it of great value. If implemented, it will do much to advance the interest of victims. The measures to support victims of trafficking are certainly most welcome. There needs to be a strong framework of assistance and support for victims to encourage them to engage with the criminal justice system and help to bring those responsible for trafficking to court. In particular, the additional measures in clauses 13 and 14 for victims who have to appear in court to give evidence are a very important step forward.

Lord Morrow and the Justice Minister have proposed a number of new provisions, among which is one to support services for those who wish to exit prostitution. Such a support mechanism or exit strategy is an important addition to the Bill and is to be commended.

Mr Nesbitt: I will make a short contribution, if I may. First, I apologise to the House that I have not been here for the whole debate to date. I also thank Lord Morrow for bringing forward this important legislation, which takes us beyond recognising that we have a problem to doing something concrete about it. That is to be commended, as is his attitude to the amendments and his discussions with officials, the Minister and so forth to get us to this point.

For me, the test has to be the impact of the Bill, which shines a light on the problem. What is the impact of shining that light? Do we get the traffickers to respond as rabbits in the headlights, which I guess is where we want them, or does it force them to scurry into a deeper, darker black hole where they are less accessible? That is the test for me in looking at the Bill and the amendments in this group.

The only amendment in this group that I want to reference at this point is clause 4 on minimum sentencing. In the House, we are all aware that there are three separate branches to government: the legislature, the Executive and the judiciary. I think that we all agree that we want to give each other the space to operate without interference, but, as was pointed out, we are, to some extent, in a Venn diagram with concentric circles.

There are precedents for one branch of government to overlap another. The question is whether it is a good idea on minimum sentencing. It is certainly constitutionally possible. As Mr Buchanan, among others, pointed out, there are constitutional precedents for setting minimum sentencing in this country. Is it desirable, however, for this legislature to say to the judiciary, "You must impose a minimum sentence"? In principle, we would probably rather not do that. However, is the case made on this specific issue?

I look at it very simply. If one human being is prepared to take another human being and traffic them and say, "I am prepared to subject you to a lifetime's slavery. I am prepared to ruin your life forever and a day by subjecting you to sexual abuse, mental torture and physical abuse, and I don't care," I say to Lord Morrow that, in the context of the judiciary having its own discretion, I want you to say to that trafficker, "We will catch you; we will convict you; and then we will send you away for at least two years." If that is what will happen, I ask Lord Morrow where the door to the Aye Lobby is, because I am 100% behind him on this clause.

Mr B McCrea: I am afraid that I am not one who will join in the plaudits for Lord Morrow on this Bill. I understand his intentions, and I am sure that he is an honourable man trying to address things, but, having listened to the

contributions from all around the House, I have to say that I do not think that this is a good day's work. I do not think that the Committee for Justice has done its job properly or that people have inquired properly into this. I am disappointed that the Chair of the Justice Committee is not here, because he engaged in a debate with me earlier, and I would have liked to carry on with that. In this group of amendments, we see that the Department of Justice opposes clauses 1, 2, 4 and 5. Later, it will oppose clauses 6, 7, 8, 9, 10, 12, 14, 15, 17 and 18. In total, DoJ has opposed 14 of the 19 clauses. That is not a particularly good record.

The Bill was not fit for purpose. Had it not been for the advent of the Modern Slavery Bill going through Westminster, we would not be talking about anything of any relevance. In my opinion, the Department of Justice, faced with a fairly unedifying spectacle, has done what it does best: tried to make the best of a bad job. It has subsumed Lord Morrow's Bill and made it into Northern Ireland's equivalent of the Modern Slavery Bill. It will, of course, allow Lord Morrow to be photographed, take the plaudits, be greeted as Northern Ireland's Wilberforce and all of those things, but, in reality, we are doing nothing more than what the Minister outlined in the interdepartmental reports that he put forward, which is to make sure that we are compliant with UK and European legislation.

I was disappointed. Maybe some of the Members who engaged with me earlier — not the Chairman, because he is not here — will tell me whether the Committee for Justice, when considering the Bill, looked at His Honour Judge Burgess's report on the Matyas Pis case. He outlined the sentencing guidelines that he was going to use, or which he has suggested — *[Interruption.]* Excuse me.

Mr Deputy Speaker (Mr Beggs): I remind Members that mobile phones should be switched off in the Chamber so that they do not interfere with the debate.

Mr B McCrea: I apologise for that. Tom Elliott asked a question twice, I think, and it is interesting that his party leader also picked up on the issue. I am not sure whether I have got this right, but I think so: under amendment Nos 17 and 18, where the minimum sentence is not imposed, the court is required to explain why and record the exceptional circumstances that apply. He envisaged some interesting outworkings and asked Lord Morrow whether he could give any examples.

Here is what Burgess had to say, and this is the information that I do not think anybody in the House has looked at. Under the Sentencing Council's guidelines, the starting point for involvement at any level in any stage of the trafficking operation "where the victim was coerced" is six years — not two years, six years. The sentencing range is four to nine years. So the two-year issue is a complete red herring.

I talked to Mr Maginness about involvement at any level in any stage of a trafficking operation where there was no coercion of the victim. I think that he ended up saying, if there is no coercion, where is the crime? Actually, there is a crime, according to the Matyas Pis judgement. The starting point for trafficking where there is no coercion is two years, and then it goes on to say that the sentencing range is one to four years. For Mr Elliott's benefit, Burgess sets out the aggravating factors for the offence of trafficking:

"(1) Large-scale commercial operation.

(2) High degree of planning or sophistication.

(3) Large number of people trafficked.

(4) Substantial financial (in the region of £5000 and upwards or other gain.

(5) Fraud.

(6) Financial extortion of the victim.

(7) Deception.

(8) Use of force, threats of force or other forms of coercion.

(9) Threats against victim or members of victim's family.

(10) Abduction or detention.

(11) Restriction of victim's liberty.

(12) Inhumane treatment.

(13) Confiscation of victim's passport."

Those are the aggravating factors. I wonder whether the Committee for Justice or Lord Morrow actually looked at this pronouncement by Burgess because he also goes on to say that the sentencing guidelines set out the following as mitigation:

"(1) Coercion of the offender by a third party.

(2) No evidence of personal gain.

(3) Limited involvement."

In other words, the courts have looked at this, and the criminal provision is there. We do not have to be dealing with this issue. Just to be clear on that particular case, the prosecution accepted that there was no allegation that A and B were brought to or held in Northern Ireland against their will or that force or threat of force was made against them. The prosecution also accepted that the defendant was not part of any criminal gang. Despite all that, he got three years. Not two years but three years, even though, with no coercion, it could have been two. The courts have already addressed this issue. There is already the information, and there is already the legal framework to be present.

Mr Wilson: Will the Member give way?

Mr B McCrea: I will indeed.

Mr Wilson: The Member may well quote the examples that he has done, but Mr Elliott also quoted an example of where the court, having found someone guilty of holding people against their will, putting them in substandard accommodation and taking money from their wages, fined them £500. So, whilst the Member can quote what the sentences may be, there are, quite clearly, cases where even the minimum sentence of two years has not been applied. In fact, non-custodial sentences have been applied in instances where some of the factors that he has listed applied.

Mr B McCrea: I thank the Member for his intervention. He and I have previously talked on this matter. His quotation on this matter was in an accusation to me:

"It seems to be that he is defending the judiciary. He has talked about the length of sentences, the fact

that the minimum sentence here is two years and the independence of the judiciary, which I do not actually subscribe to totally because I think that, sometimes, judges are a bit out of touch with the rest of society." — [Official Report, Vol 87, No 5, p44, col 1].

There is an issue here about the independence of the judiciary. All factors must be taken into account, and where there are sentencing guidelines they are adhered to. In the particular issue that Mr Elliott was talking about, I do not think that the gangmasters do have sentencing guidelines, but, if they are required, we will have them. I have to say to the House that I would far, far, far, far rather have the judiciary deciding on what was the appropriate sentence and the appropriate way forward than the Members gathered round here because all this is for the optics.

Mr Buchanan: Will the Member give way?

Mr B McCrea: I will in just one moment.

This is for the optics; this is not actually going to change anything. This is people putting out platitudes, saying that we are concerned and should do something and saying that something must be done, but do you know what? All the provisions are already there. This is purely for the optics, and, frankly, it is a waste of time. I will give way.

Mr Buchanan: The Member seems to have a problem with minimum sentences. Does he, therefore, think that minimum sentences regarding firearms offences should be repealed?

4.15 pm

Mr B McCrea: If that is meant to be some sort of fastball to deal with my argument, I do not see it. The fundamental thing that every single person has said in the Chamber, unless the Member is going to disagree with me, is that it is good to have a separation between the legislator and the judiciary. The justice system works because the people who are empowered to do these things are properly informed, can take on board all the issues in front of them and will come up with the appropriate sentence. That seems to me to be a fundamental leg upon which democracy stands.

I am surprised that people will say, "Do you know what? This is an exceptional circumstance, therefore, we can do away with it. We do not need to deal with this particular one." Pretty soon, everything will be an exceptional circumstance, and what happens then? Then you end up being forced to pass sentences that you do not think are appropriate, and circumstances come up, and you say, "This is not right." We are tinkering with a very fundamental part of our democracy, and no matter what the good intentions of the people who brought forward this Bill, and I know that Lord Morrow was well-intentioned in bringing forward the Bill, this will not help.

So, I come to a situation now about how we are going to move —

Mr Wilson: Will the Member give way?

Mr B McCrea: Yes.

Mr Wilson: I am sure down in the courts of justice, the judges will find it very touching that they have such a defender in Mr McCrea. Do not forget that this is an issue that there has been widespread concern about in society. Can he think of any circumstances in which a judge can conceivably believe that a custodial sentence of less than two years is acceptable in cases where people are being trafficked into this country, held against their will and forced to work for slave labour wages?

Mr B McCrea: The Deputy Speaker will forgive me just a little bit if I address this issue because it is slightly outside the remit. The question is not, "What are we trying to achieve?". I do not know of anybody who supports human trafficking. I do not think that is what we are talking about. The question that we are trying to deal with here is, "What is the most efficacious way of dealing with it?". I will make the argument later that I think that elements of the Bill, no matter how well-intentioned, are counterproductive.

There may well be some side benefits for having the debate. That is fair enough. As far as I am aware, people were having the debate anyway, but, in response to Mr Wilson, I will say that I think that we are treading on very thin ice when we start to try and dictate to the judiciary on every single item and say, "This is what you will do." You can take one exceptional issue and say, "That is an exception", but once you have made one exception, there is another exception and it builds up. A tenet of democracy is that we should legislate, and the judiciary should be involved in the judicial process.

Mr Frew: I thank the Member for giving way. I hear his argument. He is the defender with regard to the gap between the judiciary and us, as legislators. Is he then saying to the House today that we should repeal all the minimum sentences in Northern Ireland around firearms legislation and that the UK should do the same?

Mr B McCrea: The principle that I work on is that I do not understand why a minimum sentence is required if you are going to rely on the judiciary exercising its discretion. In reality, what we have had put forward is that we have said that we are going to have a minimum sentence and then we have said, "Unless we have exceptional circumstances." When you read the judgement by Burgess, everything that he says is, "There are exceptional circumstances, which I take into consideration." That is the proper rule of law. This is not somebody saying to the judge, "You will have a minimum sentence per se." We need to get a situation in which we should observe it properly in principle, and the judiciary should be independent and should be allowed to move forward.

Mr Buchanan: Will the Member give way?

Mr B McCrea: I am sorry. I have already given you a chance, and you will be pleased to know that I am just about to finish anyway.

All I am saying to you is that, on this particular issue and the way forward, I do not take any great pleasure in standing up and saying that I do not think that this is the right way forward. I actually think that we have missed opportunities. Look at the situation that we had at Second Stage, when the Bill was opposed by the PSNI, the PPS and others, and people were coming along saying, "This is not the right way forward". It is not.

Some people mentioned a poll and said that if you ask a question in a certain way, as was the position that Mr McCartney, I think, took, you will get a certain answer. However, the fundamental thing that we are meant to do here is legislate properly. I put it to you quite strongly

that all of the flimflam and all of the saying, "Oh, well this should be different" does not hold water. We should not be interfering; we should not be putting down minimum sentences. This Bill stands only because the Department of Justice has managed to subsume it, take it over, be the cuckoo in the nest and make it the Modern Slavery Bill. That is what it comes back as; that is what we are faced with now; and on that basis we have to welcome those elements. But the rest of it is just for the optics and will not change anything.

Mr Ford: If I am "the cuckoo in the nest", then the thrush or blackbird, or whatever Lord Morrow is, is entirely complicit in much — although not all — that has been done.

Let me repeat the point that I made during my intervention in his opening remarks: this is very much an agreed proposal between us, and I, personally, see no harm in the Department of Justice assisting a private Member to achieve a shared aim by working together. It is actually what I think the people of Northern Ireland want to see in this place, because they see far too much of the other sort. Sadly, I suspect that much of the media comment about this debate will be around the very small areas on which we disagree rather than on the fundamental issue on which we do agree.

I welcome the opportunity at this stage to speak to the group 1 amendment Nos 1 to 14, 21 to 23, 27, 50, 60 and 61, which have all been tabled by jointly by Lord Morrow and me — as I said in my intervention, that is a unique situation — as well as amendment Nos 15 to 20 that Lord Morrow tabled and amendment No 40, tabled in the name of the Minister of Finance and Personnel, for which I carry Executive responsibility on the Floor today.

Amendment Nos 1 to 4 introduce four new clauses to create a package of new offences to tackle the exploitation of people through human trafficking and slavery, servitude and forced or compulsory labour. By bringing these offences together under a single piece of legislation, I believe that we will align Northern Ireland law with best practice as identified by GRETA, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings. Taken together, these amendments will streamline and simplify the legislative framework to facilitate the work of investigators, prosecutors and the courts to bring perpetrators to justice. They will also help to ensure that where individuals are prepared to exploit or enslave fellow human beings, there will be a consistent response under the law of Northern Ireland regardless of the nature of that exploitation. The new slavery-type offences and the new human trafficking offence will attract a maximum sentence of life imprisonment, commensurate with the seriousness of these offences and the impact they have on the victims.

Amendment No1 introduces new clause 1A, which will create the new offence of slavery, servitude and forced or compulsory labour to replace the existing offence under section 71 of the Coroners and Justice Act 2009. The offence will be triable only in the Crown Court, reflecting the seriousness with which it is viewed. The provision also makes clear that in determining whether an offence under the new clause has taken place, regard must be had to all the circumstances and, in particular, to whether there are personal circumstances that may render the victim more vulnerable than other people. It also makes clear that the victim's consent to any act forming part of the offence is irrelevant. In doing so, I believe that this amendment will offer greater protection from slavery and exploitation to the more-vulnerable citizens amongst us.

Amendment No 2 introduces new clause 1B to create the new offence of human trafficking that is intended to replace both the existing offences of human trafficking for sexual exploitation under sections 57 to 59 of the Sexual Offences Act 2003 and of human trafficking for non-sexual exploitation under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. The offence will apply at all stages of the trafficking chain, whether that is recruitment, transportation, harbouring, receiving or exchanging control over the victim.

The provision also addresses the international dimension of trafficking, which has been considered by previous legislation in this House. As with existing trafficking offences, the offence will apply where a person is trafficked into, out of or within the United Kingdom and will also cover trafficking activity that takes place anywhere else in the world where the perpetrator is a UK national, a habitual resident of Northern Ireland or a body incorporated under the law of the UK.

Amendment No 3 introduces new clause 1C, which defines exploitation for the purposes of the new trafficking offence under clause 1B and will cover a range of exploitation types including slavery and forced labour, sexual exploitation, organ removal, securing services by force, threats, deception, fraud etc or preying upon the vulnerabilities of children or vulnerable adults to secure services. In doing so, it also makes it clear that, for the purposes of these provisions, exploitation may include forced begging or criminal activity.

In addition to these offences, amendment No 4 introduces new clause 1D, which would create a new preparatory offence; that is, it will make it an offence to commit an offence with the intention of committing one of the offences under clauses 1A or 1B. Article 66 of the Sexual Offences (Northern Ireland) Order 2008 already makes it an offence to commit an offence with the intention of committing a relevant sexual offence, and there is already provision for preparatory offences in respect of trafficking for sexual exploitation. However, there is currently no equivalent preparatory offence in respect of trafficking for non-sexual exploitation or slavery-type offences. New clause 1D will close the current gap in the law and will offer greater protection against these types of offences, regardless of the nature of the exploitation involved.

Amendment No 5 introduces new clause 2A, which is intended to enhance the powers of courts in Northern Ireland to protect the public and individuals from the organised criminals who perpetrate these crimes. New clause 2A will amend schedule 1 to the Criminal Justice (Northern Ireland) Order 2008 to specify the slavery-type and human trafficking offences under new clauses 1A and 1B as serious offences for the purposes of sentencing dangerous offenders. It will also amend schedule 2 to the 2008 Order to specify these offences as violent offences under Part 1 of the schedule and to list human trafficking for sexual exploitation as a specified sexual offence for the purposes of sentencing dangerous offenders. In doing so, new clause 2A will bring the offences under the ambit of the public protection arrangements — the public protection sentencing framework provided for under articles 13 and 14 of the 2008 Order — with the effect that, where the court considers it necessary for public protection, it

could impose a life sentence, an indeterminate custodial sentence or an extended custodial sentence. Any individual who receives such a sentence will also be subject to the associated regime for release, licence, supervision and, importantly, recall arrangements.

The introduction of new clauses 1A to 1D will render clauses 1, 2 and 5 of the Bill as introduced no longer necessary, and that is why Lord Morrow and I have agreed they should no longer stand part of the Bill.

Clause 3 introduces factors that the courts must treat as aggravating factors when considering the seriousness of a trafficking or slavery-type offence for the purposes of sentencing. Amendment Nos 6 to 14 are relevant to that. As has been acknowledged in the Chamber today, I have questioned the desirability of and need for clause 3, since the courts already have the ability to issue sentencing guidelines that are flexible enough to respond to emerging case law and, indeed, guidelines are already in place in respect of human trafficking for sexual exploitation. I acknowledge, however, the strong support that exists for the provision, and I have worked with Lord Morrow and his team to develop and agree amendment Nos 6 to 14, which will amend clause 3. The amendments are technical in nature, for the most part providing the appropriate definitions to give effect to the provision. Others will omit certain definitions, such as "position of trust" or "vulnerable adult", from the clause. Those definitions are now included instead in the new general interpretation provisions at new clause 17A. They do not in any way change the intended effect of clause 3.

I suppose you might say, in response to the kind of criticisms that have come from Mr Basil McCrea, that Lord Morrow has convinced me to keep the provision for aggravating factors in the Bill, and I have persuaded him perhaps to amend some of the provisions to tighten up some of the language. We are now agreed that this group of amendments is the best way to handle this issue.

Clause 4 will introduce the mandatory minimum sentence of two years for any human trafficking or slavery-type offence under new clauses 1A and 1B, except where the court believes that there are exceptional circumstances to justify not doing so. The usual position of course is that, whilst the legislature determines the maximum sentence, it does not determine the minimum sentence. Indeed, in a previous debate in the House when we were considering the issue of crimes against elderly people, Mr Jim Allister highlighted a case that he had been involved in where a father assaulted a paedophile pensioner who had abused his child. It was an example of why there can be difficulties with mandatory minimums. Of course, we have the judgement of Judge Burgess in the case of Crown v Matyas Pis, where he looked at the issue of an appropriate level of sentencing. I do not need to repeat the points made by Basil McCrea in that respect, though, if I were to do so, I would do it in a slightly different tone of voice from that which he adopted.

4.30 pm

I wish it to be clear that I still, however, do not support clause 4. My firm belief is that judges are the best people to take account of the specific circumstances of each case as it is presented to them in court and that sentencing should be entirely a matter for the courts on a case-by-case basis. We have had examples highlighting certain bits of legislation. I will, however, point out that the Firearms Order 2004 was Westminster legislation and not, as seemed to be suggested earlier, legislation of this House. Whilst I acknowledge and am reassured that there can be exceptions allowed under clause 4, I do not believe, nonetheless, that the clause is appropriate or is helpful to us at this stage. Nor does the principle of a mandatory minimum sentence sit easily beside other sentencing provisions under new clause 2A, which would, for example, allow courts to award indeterminate sentences for the offences.

Mr Wilson: Will the Minister give way?

Mr Ford: I will.

Mr Wilson: I can understand the Minister's point that he does not believe that the clause is appropriate if he takes the view that you should hand over to judges completely the discretion on this matter, but perhaps he will explain his second remark. Given the seriousness of this type of crime and given the fact that anyone who involves themselves in human trafficking does so in the full knowledge of the suffering that they are imposing, why does he not believe that a statutory minimum sentence is helpful?

Mr Ford: I recognise the points that the Member has made, but, to correct the first point, we do not give judges full discretion; we impose, as a legislature, the maximum. I believe that it is unhelpful to say, "This is a minimum, but it is not really a minimum and exceptional circumstances may apply". There are elements where that is confusing, and that is why I remain opposed. I recognise that many Members from different sides of the House have indicated that they are sympathetic to the provision, and amendments that have been tabled by Lord Morrow address some of my key concerns. However, should clause 4 stand part of the Bill at the end of today's proceedings, some further amendments may be needed to ensure that it is aligned with the existing sentencing framework that we have in Northern Ireland. If that is the case, I will certainly offer to continue to work with Lord Morrow to address those points.

In the event that clause 4 were to be supported by the Assembly, I believe that amendment Nos 15 to 18 and amendment No 20 will help to improve the clause and will mitigate those concerns. Amendment No 15 is purely technical and will ensure that clause 4 applies in respect of offences under new clauses 1A and 1B.

Amendment No 16 is a key amendment, as has been acknowledged by Lord Morrow, to ensure that clause 4 applies only to adults and not to children. That was one of the most significant concerns that I raised at Second Stage and in subsequent discussions, and I have argued that the clause as drafted would run counter to the principle of the best interests of the child, which is set out in article 3 of the UN Convention on the Rights of the Child. I am grateful to Lord Morrow for engaging on that one and for tabling the amendment.

Amendment No 17 would require the judge to state in open court where he is of the opinion that exceptional circumstances exist that justify the imposition of a lesser sentence or a suspended sentence and the reasons for that. Amendment No 18, which is contingent on amendment No 17, would place an additional requirement on the chief clerk of the court to record the court's opinion and reasoning if such exceptional circumstances are

considered to exist. Amendment No 19, however, removes the option for the court to award a suspended sentence and, I believe, would act as a further barrier to judicial discretion. I do not support that amendment.

Whilst I fully support the motivation behind it, I remain of the view that clause 4 as a whole runs contrary to the established principle of judicial discretion, the discretion that the legislature normally only sets the maximum rather than the minimum sentence, and I continue to stand against that.

Amendment Nos 21 to 23 and amendment Nos 60 and 61 are intended to facilitate the confiscation of criminal assets, and, in doing so, they seek to undermine the principal driver for the perpetrators of the offences.

They also include new powers to order the payment of reparation to victims.

Amendment No 21 introduces new clause 5A, which amends schedule 5 to the Proceeds of Crime Act 2002 (POCA) to designate the new human trafficking and slavery-type offences under new clauses 1A and 1B as criminal lifestyle offences. That, perhaps, needs a degree of explanation. POCA sets out a strict chronology for making confiscation orders, and the question of whether a person has a criminal lifestyle is central to this legal process. If an individual is convicted of a lifestyle offence specified under POCA, the courts can find that they have obtained the benefit of general criminal conduct, which then allows the courts to undertake an inquiry, beyond the normal statutory six-year limitation period, into all prior criminal activities. Profit is clearly the key motivation for those involved in trafficking and exploitation, and by improving the court's ability to confiscate criminal assets, new clause 5A will help to undermine the economic motivation that fuels the exploitation of human beings. By specifying those offences as criminal lifestyle offences for the purposes of the confiscation of assets, there will also be a consistent approach between human trafficking and slavery-type offences and other organised crimes, such as drug trafficking, arms trafficking and money laundering.

Amendment Nos 22 and 60 taken together will introduce new clause 5B and new schedule 1 to the Bill, which will also enhance the powers of the court to target and pursue the assets of traffickers and exploiters. Those new provisions will provide courts with powers on conviction of an offender for a trafficking or slavery-type offence to order the forfeiture of ships, vehicles or aircraft that have been used or were intended for use in connection with that offence. Equivalent powers are already available in connection with the existing human trafficking offences, and it is important that they should be available also in connection with the new human trafficking offence. New clause 5B and schedule 1 will also extend those powers in respect of slavery-type offences under new clause 1A. In that respect, as Lord Morrow highlighted, Northern Ireland law will go beyond the provisions set out in the Westminster Modern Slavery Bill, which will apply only to human trafficking offences. I am delighted that that is an example of where we are able to go further in the Assembly than is currently the case in the UK Parliament. Perhaps that may be something that some MPs or Members of the House of Lords in this House may wish to take up when they go to Westminster.

Lord Morrow and I are clear that victims should be at the heart of the Bill. Amendment Nos 23 and 61 will introduce new clause 5C and new schedule 2, which, together, will enhance the rights of victims by providing the courts with powers to order convicted perpetrators to pay reparation to their victims for any harm that they have suffered as a result of the offence. The model for those slavery and trafficking reparation orders under new clause 5C and schedule 2 is broadly equivalent to that which already exists in respect of compensation orders under the Criminal Justice (Northern Ireland) Order 1994. However, in addition, these new measures would require the court to consider making one of those reparation orders where it had the power to do so, and where it can but chooses not to make one, to set out its reasons. That additional requirement on the courts is intended to enhance awareness of this further means of redress for victims of these offences. Paragraphs 2 and 3 of new schedule 2 set out the effect of a reparation order, including enforcement arrangements in the case of a breach of the order, and also make supplementary provision, including in respect of variations and appeals.

Reference was made in the context of existing clause 7 to training matters, particularly by the Chair of the Committee. Whilst those particular provisions are now to be removed from the Bill, let me remind the House that, so far, more than 4,000 PSNI officers have had —

Mr Humphrey: I am grateful to the Minister for giving way. I appreciate that. Having recognised the right of the Assembly to set maximum sentences, why does the Minister shy away from setting minimum sentences and curtailing the power of judges?

Mr Ford: I thought that I had answered that point, although I am grateful to Mr Humphrey for giving me a chance to repeat it. I believe that it is the normal procedure that the legislature in nearly all criminal cases sets the maximum but not any minimum. The principle of judicial independence and judicial discretion then applies to consider how the case is handled on the facts of the individual case as presented to the judge. I believe that that is the appropriate way to continue, and that is the norm in most cases.

On the point that I was making about training, more than 4,000 PSNI officers have received training in the last couple of years. Operational guidance was issued by the PSNI in October 2013. There is policy and guidance for prosecutors. I have been at some awareness-raising events for staff from health and social care trusts as well as police officers, and a lot of work is being done by partners across health and social care and justice to ensure that guidance is available to staff — whether they be GPs or working in A&E — most likely to come across trafficking victims. I believe that provision for training is being adequately dealt with, and I am grateful for Lord Morrow's acknowledgement that clause 7(1) is no longer required.

Amendment No 27 standing in my name aims to introduce new clause 5G, which is intended to replace the remaining parts of clause 7 and make explicit the legal principle that investigations into and prosecutions on human trafficking and slavery-type offences are not dependent on victims reporting the offence or accusing a person of committing one of those offences. It also clarifies that criminal proceedings for one of those offences may commence or continue, even in cases in which the victim has made a

statement about the offence and subsequently withdrawn it. If amendment No 27 is accepted, it would mean that clause 7 in its entirety need not stand part of the Bill, as agreed by Lord Morrow and me.

Amendment No 40, which was tabled in the name of the Minister of Finance and Personnel, aims to introduce new clause 6B to provide for the criminalisation of forced marriage. It is designed to capture two different sorts of behaviour. It is clear that this issue sits easily in a human trafficking Bill, and I am pleased to take up the opportunity on behalf of the Minister of Finance to ensure that it is carried through at this stage. Clause 6B(1) would capture violent, threatening or coercive behaviour intended to cause another person to enter into a marriage. Clause 6B(5) would capture any form of deception used to trick a person into leaving the country with a view to forcing that person to marry. The person may, for example, have been told that they are going abroad to attend a family event and may leave voluntarily on that false premise.

The new clause would cover people who do not or cannot consent because they lack capacity and the relevant penalties are duly set out in clause 6B(7). This is based on the corresponding offences in England, Wales and Scotland, for which the Anti-social Behaviour, Crime and Policing Act 2014 provides. It is often said that parents who force their children to marry believe that they are acting in their child's best interests, building stronger families or preserving cultural or religious traditions. They may not see anything wrong in their actions and, often, they are otherwise loving and kind parents who have never given cause for concern in the treatment or care of their child. Such beliefs are, however, wholly misguided, and it is now rightly accepted that there can never be any justification for forcing a person to marry against his or her will. Indeed, freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages.

The initial act of overriding a person's free will is objectionable in and of itself, but there are wider consequences that may flow from that act and that may continue to have a detrimental impact. The victim may find himself or herself in another country with a completely different culture, unable to leave home unaccompanied, isolated by language barriers and alone and deprived of the love and support of wider family members that we all value so much. He or she may have been removed from school or prevented from going on to further education, denied the opportunity to reach his or her full potential and to live a happy and productive life. It is not just the victim who is damaged; children who are born into these marriages may witness violence or abuse or may even be the subject of violence and abuse themselves.

We already have civil protection orders, which can be called in aid when a person is at risk of being forced into marriage or has already been forced into marriage. Those civil orders are underpinned by statutory guidance for key personnel. However, we must use every tool at our disposal and ensure that every possible protection is put in place. The criminalisation of forced marriage will offer additional protections, but, more importantly, it will send a clear message about what is and is not acceptable in the 21st century. If we are to eradicate forced marriage, we must adopt a zero-tolerance approach, and the new criminal offences in respect of forced marriage will allow us to do just that. I therefore commend amendment No 40 to the House.

Finally, you will be pleased to hear, amendment No 50, tabled jointly by Lord Morrow and me, is technical in nature —

Mr Frew: Will the Minister give way?

Mr Ford: Yes.

Mr Frew: I apologise about asking the Minister to go back, but will he give the House a better understanding of the fundamental point about setting a minimum sentence? Is it OK to set a maximum sentence and curtail the judiciary in that aspect but then not set a minimum sentence? What is the difference between maximum and minimum? How does one curtail judges if the other does not?

Mr Ford: I thought that we had got past that point, but I am grateful for yet another opportunity to talk to it. The simple reality is that legislation in any part of the United Kingdom will always assume that there is a maximum penalty for any given criminal offence, but not always a minimum. In fact, very rarely will there be a minimum. It is not, as said by a number of Members from the DUP Benches, that the legislature cannot do that, and the Attorney General has advised that that may be the case. Rather, it is saying that it is not normal. Once you put in a requirement for a mandatory minimum sentence and then write "exceptional circumstances", it starts to cloud the issue in an unhelpful way, particularly when we have Judge Burgess's defining judgement in the first trafficking case to be tried in Northern Ireland, which made it clear what the range of options will be on the basis of a judgement from the court. So I do not believe that it is necessary or appropriate to go there.

4.45 pm

Finally, and you will be pleased to hear me say that, Mr Deputy Speaker, amendment No 50, which was tabled jointly by Lord Morrow and me, is technical in nature and is needed to ensure that the measures provided for under clause 13 in respect of the protection of victims of police investigations will also apply to victims of the new offences specified under new clauses 1A and 1B.

That summarises the position of the Department of Justice. It is noteworthy that of the amendments tabled in this group — almost half of the Bill is covered by it — 27 have been agreed by Lord Morrow and me. Lord Morrow tabled one amendment that I do not agree with, there are four cases in which we agree that a particular clause should not stand part and one case in which I seek to remove a clause that Lord Morrow does not agree with. That is a measure of the positive and constructive engagement that was undertaken. It may not appeal to every Member — I think of a Member at my right shoulder — but it appeals to the great majority of us. I commend those amendments to the House.

Lord Morrow: It has been a fairly long and very interesting debate. I had thought that, at this stage of the day, we would have been nearly past group three. It bodes well for the evening — perhaps we should prepare ourselves for a long evening and night. It might be the night of the long knives. I do not know, but we will see how it goes from here on in.

I commend and thank all those who have spoken in the debate. It has been largely good tempered. One or two Members got excited and started to jump around and

wave their papers all over the place. We always have such exceptions with us, for the present anyway — we will see what the future holds for those people.

I acknowledge everything that has been said. It seems a long time ago, although it was just before lunchtime, that my colleague the Chair of the Justice Committee elevated me marginally too highly, I think, when he likened me to the great abolitionist William Wilberforce. I am no latter-day William Wilberforce. I want to make that very clear, and I hope that you are listening, Mr McCrea. I do not accept that for a single second.

Quite recently, I was reminded of something about Wilberforce by an individual who had looked up how long he had fought slavery and found that it took him 40 years. I have been going at this Bill for less than three years, so maybe I have another 37 years to go. I do not know, but I know that Basil McCrea is saying, "There is not 37 years in that fellow over there." Just be careful before you make any pronouncements, Mr McCrea.

I thank Mr Givan for his very lavish praise, and I appreciate what he said. There has been general consensus, right around the House, that the Bill is basically good. There is one exception, and we will deal with that in a moment or two. Most have acknowledged that, while they may not agree with every aspect and part of the Bill covered by the group 1 amendments, it is a necessary Bill and something that should be done.

Only one person to date has said that it is not fit for purpose, but there is always one, is there not?

I was going to comment on what each individual said, but, since many individuals have said the same or similar things, that may not be necessary. However, I want to make it clear that I appreciate everything that has been said, even by those who, at times, have not been totally supportive of what I am trying to do through this Bill and, in particular, in relation to some of the clauses, whether they be single clauses or amendments.

It is obvious that one issue has been contentious, and it rotates around clause 4. I say, quite frankly, to those who oppose clause 4 that their opposition is not sustainable. When they were asked about maximum and minimum sentences, we had some answers that, in my books, were not very convincing. This Bill is trying to set out in clear and stark terms that the Assembly believes that human trafficking is a great social evil and a heinous crime. Even Mr McCrea, who has no regard for my Bill at all, at least admitted that human trafficking was something that we should be opposed to, and then he went off the rails completely and was not prepared to acknowledge anything else.

Mr B McCrea: Will the Member give way?

Lord Morrow: Not at the moment. I think that I have had enough, just for the minute. There is only so much that one can take in a day.

I believe that this modest proposal is a very appropriate and effective way of making it absolutely clear that we want to make Northern Ireland a cold house, or a cold place, for human trafficking and traffickers. It is designed to further concentrate the minds of would-be traffickers, increasing the incentive for them to think again and thereby reduce the chances for and levels of trafficking in Northern Ireland. I would also like to come back to the intervention that I received during my speech, just to clarify that, when clause 4 reaches the statute book, supplementary guidance for the courts will be produced as a matter of course. I very much hope that Members will support all the amendments in the group, with the exception of that tabled by the Minister, which argues that clause 4 should not stand part of the Bill.

Mrs Foster: I thank the Member for giving way. I have not been in the Chamber for the whole debate, but I have been following it as best I can on the television upstairs. What we want to do is send a very strong message on human trafficking. One of the ways that we do that is by setting a minimum sentence. It has been done before. It has been pointed out, and I accept, that it is not a regular occurrence. However, in relation to drink-driving, society felt that it wanted to send a very strong message, and therefore a minimum sentence was set in relation to that issue. I think that this is another issue on which society expects us to send a very strong message to the judiciary and, indeed, to society as a whole.

I have listened to what people have had to say about fettering the discretion of judges, but judges act within the laws that are set down by the Assembly and Parliament, so we are actually sending a very strong message to the judiciary in relation to that type of action. Therefore, I think, it is wholly and rightly within our limits to do such a thing. Therefore, I support you, Lord Morrow, in setting a minimum sentence for human trafficking, and I hope that the whole House supports what you have laid down.

Lord Morrow: I thank my colleague very much for those valuable and timely points. I too urge the House to take cognisance of what she has said. They are compatible with what I am trying to achieve through this private Members' Bill.

I do not wish to detain the House because, as I said, we have a fairly long evening ahead of us, but Mr Basil McCrea in particular was very disparaging. He said:

> *"The Bill was not fit for purpose".*

He also said that the Department had helped me save face by giving me some concessions. I have had long discussions with the departmental officials on this Bill, and I do not believe that any of them, if they were able to stand in the middle of this Floor or stand where I am standing, would agree with that. Mr McCrea says my Bill is no different from the Modern Slavery Bill. He clearly has not read my Bill and compared it with the Modern Slavery Bill. If he had, he would have seen that my Bill goes much further. It always did in many areas, including — and I want him to listen — on the provision of child trafficking guardians and statutory provision for victims of trafficking.

Mr McCrea would do well to read both Bills: he should get the Modern Slavery Bill and my Bill, set them beside each other and see how much further my Bill goes. My Bill is tailored for Northern Ireland. It is not a perfect Bill. My colleague Tom Buchanan made it quite clear that, when I came to the House first, when I went to the Committee and wherever I went with my Bill, I made it clear that it was not the finished article. My Bill was never put forward as the perfect article. I have said that from day one. As a result of what the Committee has done, of what others have said to me and of what the Department has done and said, I have tabled amendments. Many of those amendments have

been agreed with the Minister. Every Member can see quite clearly that they have been signed off by both of us.

Mr McCrea, I think you are out of school, I think you are not fit for purpose in the debate today and whether —

Mr B McCrea: Will the Member give way?

Lord Morrow: No, not now.

Mr B McCrea: So, you will not engage in debate.

Lord Morrow: No. You had your opportunity, and you will get another one a little later, I suspect. You obviously have not read this Bill to any great extent. You set your face against this piece of legislation from day one, and today you came in and denigrated it and said that it should not be going any further.

You said that we are fettering judges. My colleague Arlene Foster has made it quite clear that we do that on occasion. However, this is done in such a way that judges can derogate. Therefore, it is not right to say that we have said, "There will be a two-year minimum sentence. That's it. Full stop." We have not said that: we have allowed for a derogation.

I want to test the opinion of the House on this one. It is absolutely vital to retain clause 4 in the Bill.

Mr Frew: I thank the Member for giving way. I have listened to what he has said, and I know how much work he has put into the Bill and how much work the Justice Committee has put into scrutinising it. Does it not provide reassurance to the House that the Member who is bringing the Bill forward has listened to the Members of the House?

Lord Morrow: I thank my colleague Mr Frew for his comments.

To those who still have reservations about clause 4 remaining part of the Bill, I ask them to think very carefully. This is an attempt to highlight in a very explicit and determined way that we in Northern Ireland take human trafficking very, very seriously and that those who are engaged in it will be dealt with by the full rigours of the law and that they can, and possibly will, be subject to a two-year minimum sentence.

Mr Humphrey: I am grateful to the Member for giving way. In the final part of his contribution, Mr McCrea talked about the police and the Public Prosecution Service. Does the Member agree that the now Assistant Chief Constable, Mr Drew Harris, clarified the position of the Police Service of Northern Ireland on this Bill to the Committee when he appeared in front of it a number of months ago?

5.00 pm

Lord Morrow: I thank my colleague Mr Humphrey for making that salient and important point. Mr McCrea said that the PSNI were opposed to this legislation. Let me be very clear: that is not the position of the PSNI. I believe that it is an abuse of a Member's position to come in here and misrepresent the PSNI or, indeed, anyone else. That is not their position. If Mr McCrea wants to get up, he should get up now and withdraw that remark, knowing perfectly well that that is not the position of the police. They have not said that.

As a matter of fact, as my colleague said, ACC Harris has made it quite clear that that is not their position. I ask the Member to take cognisance of that.

I will leave the matter here and I would like to test the opinion of the House on these amendments.

Mr Deputy Speaker (Mr Beggs): Members, before I put the Question, I remind everyone that we have debated opposition to clause 1 but the Question will be put in the positive manner as usual.

Question put and negatived.

Clause 1 disagreed to.

New Clause

Amendment No 1 made: After clause 1 insert

*"**Slavery, servitude and forced or compulsory labour***

***1A**.—(1) A person ("A") commits an offence if—*

(a) A holds another person ("B") in slavery or servitude and the circumstances are such that A knows or ought to know that B is held in slavery or servitude, or

(b) A requires B to perform forced or compulsory labour and the circumstances are such that A knows or ought to know that B is being required to perform forced or compulsory labour.

(2) In subsection (1) the references to holding B in slavery or servitude or requiring B to perform forced or compulsory labour are to be construed in accordance with Article 4 of the Human Rights Convention.

(3) In determining whether B is being held in slavery or servitude or required to perform forced or compulsory labour regard may be had to all the circumstances.

(4) In particular, regard may be had to any of B's personal circumstances which may make B more vulnerable than other persons such as, for example—

(a) that B is a child or a vulnerable adult; or

(b) that A is a member of B's family.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 2 made: After clause 1 insert

"Human trafficking

***1B**.—(1) A person ("A") commits an offence if A arranges or facilitates the travel of another person ("B") with a view to B being exploited.*

(2) A may in particular arrange or facilitate B's travel by recruiting B, transporting or transferring B, harbouring or receiving B, or transferring or exchanging control over B.

(3) A arranges or facilitates B's travel with a view to B being exploited only if—

(a) A intends to exploit B (in any part of the world) during or after the travel, or

(b) A knows or ought to know that another person is likely to exploit B (in any part of the world) during or after the travel.

(4) "Travel" means—

(a) arriving in, or entering, any country,

(b) departing from any country,

(c) travelling within any country.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person to whom this subsection applies commits an offence under this section regardless of—

(a) where the arranging or facilitating takes place, or

(b) where the travel takes place.

(7) Any other person commits an offence under this section if—

(a) any part of the arranging or facilitating takes place in the United Kingdom, or

(b) the travel consists of arrival in or entry into, departure from, or travel within the United Kingdom.

(8) Subsection (6) applies to—

(a) a UK national;

(b) a person who at the time of the offence was habitually resident in Northern Ireland; and

(c) a body incorporated under the law of a part of the United Kingdom.

(9) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 3 made: After clause 1 insert

"Meaning of exploitation for purposes of section 1B

***1C**.—(1) For the purposes of section 1B, a person is exploited only if one or more of the following subsections apply in relation to the person.*

Slavery, servitude and forced or compulsory labour

(2) The person is the victim of behaviour—

(a) which involves the commission of an offence under section 1A, or

(b) which would involve the commission of an offence under that section if it took place in Northern Ireland.

Sexual exploitation

(3) Something is done to or in respect of the person—

(a) which involves the commission of an offence under—

(i) Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs of children), or

(ii) any provision of the Sexual Offences (Northern Ireland) Order 2008 (sexual offences), or

(b) which would involve the commission of such an offence if it were done in Northern Ireland.

Removal of organs etc.

(4) The person is encouraged, required or expected to do anything—

(a) which involves the commission, by him or her or another person, of an offence under section 32 or 33 of the Human Tissue Act 2004 (prohibition of commercial dealings in organs and restrictions on use of live donors) in Northern Ireland, or

(b) which would involve the commission of such an offence, by him or her or another person, if it were done in Northern Ireland.

Securing services etc. by force, threats or deception

(5) The person is subjected to force, threats, abduction, coercion, fraud or deception designed to induce him or her—

(a) to provide services of any kind,

(b) to provide another person with benefits of any kind, or

(c) to enable another person to acquire benefits of any kind;

and for the purposes of this subsection "benefits" includes the proceeds of forced begging or of criminal activities.

Securing services etc. from children and vulnerable persons

(6) Another person uses or attempts to use the person for a purpose within paragraph (a), (b) or (c) of subsection (5), having chosen him or her for that purpose on the grounds that—

(a) he or she is a child or a vulnerable adult or is a member of the other person's family or the other person is in a position of trust in relation to him or her; and

(b) a person who was not within paragraph (a) would be likely to refuse to be used for that purpose."— [Lord Morrow.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 4 made: After clause 1 insert

"Committing offence with intent to commit offence under section 1A or 1B

***1D**.—(1) A person commits an offence under this section if the person commits any offence with the intention of committing an offence under section 1A or 1B (including an offence committed by aiding, abetting, counselling or procuring an offence under that section).*

(2) A person guilty of an offence under this section is (unless subsection (3) applies) liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding 10 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(3) Where the offence under this section is committed by kidnapping or false imprisonment, a person guilty of that offence is liable, on conviction on indictment, to imprisonment for life.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

Clause 2 disagreed to.

New Clause

Amendment No 5 made: After clause 2 insert

"Sentencing for offences under section 1A or 1B

Offences to be serious offences for purposes of sentencing

***2A**.—(1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.*

(2) In Schedule 1 (serious offences for purposes of sentencing dangerous offenders) after paragraph 31 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under—

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking).".

(3) In Part 1 of Schedule 2 (specified violent offences for purposes of sentencing dangerous offenders) after paragraph 31 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under—

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking) which is not within Part 2 of this Schedule.".

(4) In Part 2 of Schedule 2 (specified sexual offences for purposes of sentencing dangerous offenders) after paragraph 14 insert—

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

"14A. An offence under section 1B (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 1C(3) of that Act (sexual exploitation)."".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

Clause 3 (Aggravating factors)

Amendment No 6 made: In page 2, line 9, leave out

"a human trafficking offence or a slavery offence"

and insert

"an offence under section 1A or 1B".— [Lord Morrow.]

Amendment No 7 made: In page 2, line 13, leave out "family member" and insert "member of the family".— *[Lord Morrow.]*

Amendment No 8 made: In page 2, line 15, leave out "a victim who was".— [Lord Morrow.]

Amendment No 9 made: In page 2, line 17, leave out "the victim's family" and insert

"a member of the family of the victim".— [Lord Morrow.]

Amendment No 10 made: In page 2, line 19, leave out "offence" and insert "offender".— *[Lord Morrow.]*

Amendment No 11 made: In page 2, line 21, leave out

"was committed by use of serious violence or".— [Lord Morrow.]

Amendment No 12 made: In page 2, leave out line 24 and insert

"—

(i) of an offence under section 1A or 1B;

(ii) of an offence under any provision repealed by this Act;

(iii) in respect of anything done outside Northern Ireland which was not an offence mentioned in paragraph (i) or (ii) but would have been such an offence if done in Northern Ireland.".— [Lord Morrow.]

Amendment No 13 made: In page 2, leave out lines 26 and 27 and insert

"''public official' means—

(a) a member of the Northern Ireland civil service or the United Kingdom civil service;

(b) a person employed by a body established by an Act of Parliament or by Northern Ireland legislation;

(c) the holder of an office established by an Act of Parliament or by Northern Ireland legislation;

(d) a police officer;".— [Lord Morrow.]

Amendment No 14 made: In page 2, leave out lines 30 to 34.— *[Lord Morrow.]*

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 (Minimum sentence for human trafficking and slavery offences)

Amendment No 15 made: In page 2, line 36, leave out

"a human trafficking offence or a slavery offence"

and insert

"an offence under section 1A or 1B.".— [Lord Morrow.]

Amendment No 16 made: In page 2, line 37, at end insert

"and that individual was aged 18 or over when the offence was committed".— [Lord Morrow.]

Amendment No 17 made: In page 2, line 41, at end insert

"(2A) If there are exceptional circumstances which justify—

(a) the imposition of a lesser sentence than that provided for under subsection (2); or

(b) the exercise by the court of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968;

the court shall state in open court that it is of the opinion that such exceptional circumstances exist and the reasons for that opinion.".— [Lord Morrow.]

Mr Deputy Speaker (Mr Beggs): Amendment No 18 is consequential to amendment No 17.

Amendment No 18 made: In page 2, line 41, at end insert

"(2B) Where subsection (3) applies the Chief Clerk shall record both the opinion of the court that exceptional circumstances exist and the reasons stated in open court which justify either the imposition of a lesser sentence or the exercise of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968 as the case may be.".— [Lord Morrow.]

Amendment No 19 proposed: In page 2, line 41, at end insert

"(2C) For the purposes of subsection (2) the words "custodial sentence" shall not include a sentence in relation to which the court has made an order under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968.".— [Lord Morrow.]

Question put, That amendment No 19 be made.

Question put a second time and agreed to.

5.15 pm

Mr Deputy Speaker (Mr Beggs): Order. I ask Members to return to their seats, please. Thank you.

Amendment No 20 made: In page 2, line 41, at end insert

"(2D) In section 36 (review of sentencing) of the Criminal Justice Act 1988 in subsection (9)(b) omit the 'and' at the end of the subsection and after subsection (9)(c) insert—

"and

(d) subsection (2)(b) shall be read as if it included a reference to a sentence required by section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

(2E) The Criminal Justice (Northern Ireland) Order 1996 is amended as follows—

(a) in Article 2(9) (interpretation of references to sentences falling to be imposed under various statutory provisions) after "2006" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014";

(b) in each of —

(i) Article 4(1) (power to discharge defendant except in specified circumstances),

(ii) Article 10(1) (power to impose probation order except in specified cases),

(iii) Article 13(1) (power to impose community service order except in specified cases),

(iv) Article 15(1) (power to impose combination order except in specified circumstances),

after "2008" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014".

(2F) In the Criminal Justice (Northern Ireland) Order 2008—

(a) in Article 5 (restrictions on imposing certain custodial sentences) in paragraph (1)(b) omit "or" at the end add of paragraph (ii) and after paragraph (iii) add—

"or

(iv) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.";

(b) in Article 7 (length of custodial sentence) in paragraph (3) at the end add—

"(c) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".".— [Lord Morrow.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 58; Noes 37.

AYES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, 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, Mrs D Kelly, Mr Kennedy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.

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

NOES

Mr Agnew, Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 B McCrea, 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 O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan, Ms Sugden.

Tellers for the Noes: Mr Dickson and Mr McCarthy.

Question accordingly agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clause 5 (Amendments to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004)

Question put, That the clause stand part of the Bill.

Question put a second time and negatived.

Clause 5 disagreed to.

New Clause

Amendment No 21 made: After clause 5 insert

"Orders that may be made on conviction of offence under section 1A or 1B

Confiscation of assets

***5A**.—(1) Schedule 5 to the Proceeds of Crime Act 2002 (criminal lifestyle offences in Northern Ireland) is amended as follows.*

(2) After paragraph 3 insert—

"Slavery, etc.

3A. An offence under section 1A of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude and forced or compulsory labour)."

(3) In paragraph 4 (people trafficking) at the end insert—

"(4) An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (human trafficking).".".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 22 made: After clause 5 insert

"Detention and forfeiture of certain vehicles, ships and aircraft

***5B**.Schedule 1 (which makes provision for, and in connection with, the detention and forfeiture of certain vehicles, ships and aircraft used or intended to be used in connection with offences under section 1A or 1B) has effect.".— [Mr Ford (The Minister of Justice).]*

New clause ordered to stand part of the Bill.

New Clause

Amendment No 23 made: After clause 5 insert

*"**Slavery and trafficking reparation orders***

***5C**.Schedule 2 (which makes provision for, and in connection with, slavery and trafficking reparation orders) has effect.".— [Mr Ford (The Minister of Justice).]*

New clause ordered to stand part of the Bill.

New Clause

Mr Deputy Speaker (Mr Beggs): We now come to the second group of amendments for debate, which concerns amendment Nos 24 to 26 and 62, as well as opposition to clauses 7 and 15 standing part. The amendments deal with a duty on the Department to publish a strategy, new slavery and trafficking prevention orders and a duty on specified public bodies to notify the National Crime Agency when it is believed someone may be a victim of relevant offences. Members will note that amendment No 25 is mutually exclusive with clause 15 standing part. Amendment No 62 is mutually exclusive with clause 24 standing part.

Mr Ford: I beg to move amendment No 24: After clause 5 insert

"Prevention, enforcement, etc.

Slavery and trafficking prevention orders

***5D**.Schedule 3 (which makes provision for, and in connection with, slavery and trafficking prevention orders) has effect.".*

The following amendments stood on the Marshalled List:

No 25: After clause 5 insert

"Strategy on offences under sections 1A and 1B

5E.—(1) The Department shall, at least once in every year, publish a strategy on offences under section 1A and 1B ("relevant offences").

(2) In drawing up the strategy the Department must—

(a) consult with other relevant organisations; and

(b) have regard to views expressed by such organisations.

(3) The purpose of the strategy is to—

(a) raise awareness of relevant offences in Northern Ireland;

(b) contribute to a reduction in the number of such offences.

(4) The strategy shall in particular—

(a) set out arrangements for co-operation between relevant organisations in dealing with relevant offences or the victims of such offences;

(b) include provision as to the training and equipment of those involved in investigating or prosecuting relevant offences or dealing with the victims of such offences;

(c) include provisions aimed at raising awareness of the rights and entitlements of victims of such offences.

(5) In this section "relevant organisation" means any body, agency or other organisation with functions or activities relating to relevant offences or the victims of such offences.".— [Mr Ford (The Minister of Justice).]

No 26: After clause 5 insert

*"**Duty to notify National Crime Agency about suspected victims of offences under section 1A or 1B***

***5F**.—(1) A specified public authority must notify the National Crime Agency if it has reason to believe that a person may be a victim of an offence under section 1A or 1B.*

(2) The Department—

(a) must issue guidance to specified public authorities about the sorts of things which indicate that a person may be a victim of an offence under section 1A or 1B;

(b) may from time to time revise the guidance; and

(c) must arrange for any guidance issued or revised to be published in a way the Department considers appropriate.

(3) The Department may by regulations make provision about the information to be included in a notification under subsection (1).

(4) The regulations must provide that a notification relating to a person aged 18 or over may not include information that—

(a) identifies the person, or

(b) enables the person to be identified (either by itself or in combination with other information),

unless the person consents to the inclusion of the information.

(5) The regulations may not require information to be included if its inclusion would result in a disclosure which contravenes the Data Protection Act 1998.

(6) In this section "specified public authority" means a public authority specified in regulations made by the Department.".— [Mr Ford (The Minister of Justice).]

No 62: After clause 19 insert

"SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 1

MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

SLAVERY AND TRAFFICKING PREVENTION ORDERS ON DEALING WITH DEFENDANT

1.—(1) A court may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") where it deals with the defendant in respect of—

(a) a conviction for a slavery or human trafficking offence,

(b) a finding that the defendant is not guilty of a slavery or human trafficking offence by reason of insanity, or

(c) a finding that the defendant is unfit to plead and has done the act charged against the defendant in respect of a slavery or human trafficking offence.

(2) The court may make the order only if it is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(3) For the purposes of sub-paragraph (1), convictions and findings include those taking place before this Schedule comes into operation.

(4) In this Schedule a "slavery or human trafficking offence" means any of the following offences—

(a) an offence under section 145 of the Nationality, Immigration and Asylum Act 2002 (trafficking for prostitution);

(b) an offence under section 57, 58, 58A, 59 or 59A of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(c) an offence under section 62 of that Act (committing offence with intent to commit relevant sexual offence), where the relevant sexual offence the person in question intended to commit was an offence under section 57, 58, 58A, 59 or 59A of that Act;

(d) an offence under section 22 of the Criminal Justice (Scotland) Act 2003 (trafficking for prostitution);

(e) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(f) an offence under section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour);

(g) an offence under section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour);

(h) an offence under section 1A, 1B or 1D of this Act;

(i) an offence of attempting or conspiring to commit an offence listed above;

(j) an offence committed by aiding, abetting, counselling, procuring or inciting the commission of an offence so listed;

(k) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence so listed.

(5) The Department may by order amend sub-paragraph (4).

SLAVERY AND TRAFFICKING PREVENTION ORDERS ON APPLICATION

2.—(1) A court of summary jurisdiction may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") on an application by the Chief Constable.

(2) The court may make the order only if it is satisfied that—

(a) the defendant is a relevant offender (see paragraph 3), and

(b) since the defendant first became a relevant offender, the defendant has acted in a way which means that the condition in sub-paragraph (3) is met.

(3) The condition is that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(4) The Chief Constable may make an application under this paragraph only in respect of a person—

(a) who lives in Northern Ireland, or

(b) who the Chief Constable believes is in, or is intending to come to, Northern Ireland.

(5) An application under this paragraph is to be made by complaint.

(6) The acts of the defendant which may be relied on for the purposes of sub-paragraph (2)(b) include acts taking place before this Schedule comes into operation.

(7) The Department may by order provide that an application under this paragraph may be made by a person or body specified in the order (as well as by the Chief Constable); and such an order may make such

consequential amendments to this Schedule as the Department thinks necessary or expedient.

MEANING OF "RELEVANT OFFENDER"

3.—(1) A person is a "relevant offender" for the purposes of paragraph 2 if sub- paragraph (2) or (3) applies to the person.

(2) This sub-paragraph applies to a person if—

(a) the person has been convicted of a slavery or human trafficking offence,

(b) a court has made a finding that the person is not guilty of a slavery or human trafficking offence by reason of insanity,

(c) a court has made a finding that the person is unfit to be tried and has done the act charged against the person in respect of a slavery or human trafficking offence, or

(d) the person has been cautioned in respect of a slavery or human trafficking offence.

(3) This sub-paragraph applies to a person if, under the law of a country outside the United Kingdom—

(a) the person has been convicted of an equivalent offence (whether or not the person has been punished for it),

(b) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is not guilty by reason of insanity,

(c) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is unfit to be tried and has done the act charged against the person, or

(d) the person has been cautioned in respect of an equivalent offence.

(4) An "equivalent offence" means an act which—

(a) constituted an offence under the law of the country concerned, and

(b) would have constituted a slavery or human trafficking offence under the law of Northern Ireland if it had been done in Northern Ireland, or by a UK national, or as regards the United Kingdom.

(5) For the purposes of sub-paragraph (4) an act punishable under the law of a country outside the United Kingdom constitutes an offence under that law, however it is described in that law.

(6) On an application under paragraph 2 where sub-paragraph (3) is alleged to apply to the defendant, the condition in sub-paragraph (4)(b) is to be taken as met unless—

(a) not later than provided by magistrates' court rules, the defendant serves on the Chief Constable a notice which states that in the defendant's opinion the condition is not met, shows the grounds for that opinion, and requires the Chief Constable to prove that the condition is met, or

(b) the court permits the defendant to require the Chief Constable to prove that the condition is met without service of such a notice.

(7) References in this paragraph to convictions, findings and cautions include those taking place before this paragraph comes into operation.

EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

4.—(1) A slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(2) The only prohibitions or requirements that may be included in the order are those which the court is satisfied are necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.

(3) Subject to paragraph 5(1), a prohibition or requirement contained in a slavery and trafficking prevention order has effect—

(a) for a fixed period, specified in the order, of at least 5 years, or

(b) until further order.

(4) A slavery and trafficking prevention order—

(a) may specify that some of its prohibitions or requirements have effect until further order and some for a fixed period;

(b) may specify different periods for different prohibitions or requirements.

(5) If a court makes a slavery and trafficking prevention order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.

PROHIBITIONS ON FOREIGN TRAVEL

5.—(1) A prohibition on foreign travel contained in a slavery and trafficking prevention order must be for a fixed period of not more than 5 years.

(2) A "prohibition on foreign travel" means—

(a) a prohibition on travelling to any country outside the United Kingdom named or described in the order,

(b) a prohibition on travelling to any country outside the United Kingdom other than a country named or described in the order, or

(c) a prohibition on travelling to any country outside the United Kingdom.

(3) Sub-paragraph (1) does not prevent a prohibition on foreign travel from being extended for a further period (of no more than 5 years each time) under paragraph 6.

(4) A slavery and trafficking prevention order that contains a prohibition within sub-paragraph (2)(c) must require the defendant to surrender all of the defendant's passports at a police station specified in the order—

(a) on or before the date when the prohibition takes effect, or

(b) within a period specified in the order.

(5) Any passports surrendered must be returned as soon as reasonably practicable after the person

ceases to be subject to a slavery and trafficking prevention order containing a prohibition within sub-paragraph (2)(c).

(6) Sub-paragraph (5) does not apply in relation to—

(a) a passport issued by or on behalf of the authorities of a country outside the United Kingdom if the passport has been returned to those authorities;

(b) a passport issued by or on behalf of an international organisation if the passport has been returned to that organisation.

VARIATION, RENEWAL AND DISCHARGE

6.—(1) A person within sub-paragraph (2) may apply to the appropriate court for an order varying, renewing or discharging a slavery and trafficking prevention order.

(2) The persons are—

(a) the defendant;

(b) the Chief Constable.

(3) On the application the court, after hearing—

(a) the person making the application, and

(b) the other person mentioned in sub-paragraph (2) (if that person wishes to be heard),

may make any order varying, renewing or discharging the slavery and trafficking prevention order that the court considers appropriate.

(4) An order may be renewed, or varied so as to impose additional prohibitions or requirements on the defendant, only if the court is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5) Any renewed or varied order may contain only those prohibitions or requirements which the court is satisfied are necessary for that purpose.

(6) The court must not discharge an order before the end of 5 years beginning with the day on which the order was made, without the consent of the defendant and the Chief Constable.

(7) Sub-paragraph (6) does not apply to an order containing a prohibition on foreign travel and no other prohibitions.

(8) In this paragraph "the appropriate court" means—

(a) where the Crown Court or the Court of Appeal made the slavery and trafficking prevention order, the Crown Court;

(b) in any other case, a court of summary jurisdiction.

(9) An application under sub-paragraph (1) may be made—

(a) where the appropriate court is the Crown Court, in accordance with Crown Court rules;

(b) in any other case, by complaint.

INTERIM SLAVERY AND TRAFFICKING PREVENTION ORDERS

7.—(1) This paragraph applies where an application under paragraph 2 ("the main application") has not been determined.

(2) An application for an "interim slavery and trafficking prevention order—

(a) may be made by the complaint by which the main application is made, or

(b) if the main application has been made, may be made by the person who has made that application, by complaint to the court to which that application has been made.

(3) The court may, if it considers it just to do so, make an interim slavery and trafficking prevention order.

(4) An interim slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(5) The order—

(a) has effect only for a fixed period, specified in the order;

(b) ceases to have effect, if it has not already done so, on the determination of the main application.

(6) The applicant or the defendant may by complaint apply to the court that made the interim slavery and trafficking prevention order for the order to be varied, renewed or discharged.

APPEALS

8.—(1) A defendant may appeal against the making of a slavery and trafficking prevention order—

(a) where the order was made under paragraph 1(1)(a), as if the order were a sentence passed on the defendant for the offence;

(b) where the order was made under paragraph 1(1)(b) or (c), as if the defendant had been convicted of the offence and the order were a sentence passed on the defendant for that offence;

(c) where the order was made on an application under paragraph 2, to the county court.

(2) A defendant may appeal to the county court against the making of an interim slavery and trafficking prevention order.

(3) A defendant may appeal against the making of an order under paragraph 6, or the refusal to make such an order—

(a) where the application for such an order was made to the Crown Court, to the Court of Appeal;

(b) in any other case, to the county court.

(4) On an appeal under sub-paragraph (1)(c), (2) or (3)(b), the county court may make such orders as may be necessary to give effect to its determination of the appeal, and may also make such incidental or consequential orders as appear to it to be just.

(5) Any order made by the county court on an appeal under sub-paragraph (1)(c) or (2) is for the purposes of paragraph 6(8) or 7(6) (respectively) to be treated as if it were an order of the court from which the appeal was brought.

(6) Sub-paragraph (5) does not apply to an order directing that an application be reheard by a court of summary jurisdiction.

PART 2

NOTIFICATION REQUIREMENTS

OFFENDER SUBJECT TO NOTIFICATION REQUIREMENTS

9.—(1) References in the following provisions of this Schedule to an offender subject to notification requirements are references to an offender who is for the time being subject to a slavery and trafficking prevention order or an interim slavery and trafficking prevention order which is in effect under this Schedule.

(2) Sub-paragraph (1) has effect subject to paragraph 12(7) (which excludes from paragraph 12 an offender subject to an interim slavery and trafficking prevention order).

INITIAL NOTIFICATION

10.—(1) An offender subject to notification requirements must notify the required information to the police within the period of 3 days beginning with the date on which the slavery and trafficking prevention order or the interim slavery and trafficking prevention order comes into force in relation to the offender ("the relevant date").

(2) The "required information" is the following information about the offender—

(a) date of birth;

(b) national insurance number;

(c) name on the relevant date or, if the offender used two or more names on that date, each of those names;

(d) home address on the relevant date;

(e) name on the date on which the notification is given or, if the offender used two or more names on that date, each of those names;

(f) home address on the date on which the notification is given;

(g) the address of any other premises in the United Kingdom at which on that date the offender regularly resides or stays;

(h) any information prescribed by regulations made by the Department.

(3) When determining the period of 3 days mentioned in sub-paragraph (1), there is to be disregarded any time when the offender is—

(a) remanded in or committed to custody by an order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(4) In this Part "home address" means in relation to the offender—

(a) the address of the offender's sole or main residence in the United Kingdom, or

(b) if the offender has no such residence, the address or location of a place in the United Kingdom where the offender can regularly be found or, if there is more than one such place, such one of them as the offender selects.

NOTIFICATION OF CHANGES

11.—(1) An offender subject to notification requirements must, within the period of 3 days beginning with the date on which any notifiable event occurs, notify to the police—

(a) the required new information, and

(b) the information mentioned in paragraph 10(2).

(2) A "notifiable event" means—

(a) the use by the offender of a name which has not been notified to the police under paragraph 10 or this paragraph;

(b) any change of the offender's home address;

(c) the expiry of any qualifying period during which the offender has resided or stayed at any premises in the United Kingdom the address of which has not been notified to the police under paragraph 10 or this paragraph;

(d) any prescribed change of circumstances; or

(e) the release of the offender from custody pursuant to an order of a court or from a custodial sentence or detention in a hospital.

(3) The "required new information" is—

(a) the name referred to in sub-paragraph (2)(a),

(b) the new home address (see sub-paragraph (2)(b)),

(c) the address of the premises referred to in sub-paragraph (2)(c),

(d) the prescribed details, or

(e) the fact that the offender has been released as mentioned in sub-paragraph (2)(e),

as the case may be.

(4) A notification under sub-paragraph (1) may be given before the notifiable event occurs, but in that case the offender must also specify the date when the event is expected to occur.

(5) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates occurs more than 2 days before the date specified, the notification does not affect the duty imposed by sub-paragraph (1).

(6) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates has not occurred by the end of the period of 3 days beginning with the date specified—

(a) the notification does not affect the duty imposed by sub-paragraph (1), and

(b) the offender must, within the period of 6 days beginning with the date specified, notify to the police the fact that the event did not occur within the period of 3 days beginning with the date specified.

(7) Paragraph 10(3) applies to the determination of—

(a) any period of 3 days for the purposes of sub-paragraph (1), or

(b) any period of 6 days for the purposes of sub-paragraph (6),

as it applies to the determination of the period of 3 days mentioned in paragraph 10(1).

(8) In this paragraph—

(a) "prescribed change of circumstances" means any change—

(i) occurring in relation to any matter in respect of which information is required to be notified by virtue of paragraph 10(2)(h), and

(ii) of a description prescribed by regulations made by the Department;

(b) "the prescribed details", in relation to a prescribed change of circumstances, means such details of the change as may be so prescribed.

(9) In this paragraph "qualifying period" means—

(a) a period of 7 days, or

(b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

PERIODIC NOTIFICATION

12.—(1) An offender subject to notification requirements must, within the applicable period after each notification date, notify to the police the information mentioned in paragraph 10(2), unless the offender has already given a notification under paragraph 11(1) within that period.

(2) A "notification date" means, in relation to the offender, the date of any notification given by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1).

(3) Where the applicable period would (apart from this paragraph) end while sub-paragraph (4) applies, that period is to be treated as continuing until the end of the period of 3 days beginning with the date on which sub-paragraph (4) first ceases to apply.

(4) This sub-paragraph applies if the offender is—

(a) remanded in or committed to custody by an order of a court,

(b) serving a custodial sentence,

(c) detained in a hospital, or

(d) outside the United Kingdom.

(5) In this paragraph "the applicable period" means—

(a) in any case where sub-paragraph (6) applies, such period as may be prescribed by regulations made by the Department, and

(b) in any other case, the period of one year.

(6) This sub-paragraph applies if the last home address notified by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1) was the address or location of such a place as is mentioned in paragraph 10(4)(b).

(7) Nothing in this paragraph applies to an offender who is subject to an interim slavery and trafficking prevention order.

ABSENCE FROM NOTIFIED RESIDENCE

13.—(1) This paragraph applies to an offender subject to notification requirements at any time if the last home address notified by the offender under paragraph 10(1), 11(1) or 12(1) was an address in Northern Ireland such as is mentioned in paragraph 10(4)(a) (sole or main residence).

(2) If the offender intends to be absent from that home address for a period of more than 3 days ("the relevant period"), the offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in sub-paragraph (3).

(3) The information is—

(a) the date on which the offender will leave that home address;

(b) such details as the offender holds about—

(i) the offender's travel arrangements during the relevant period;

(ii) the offender's accommodation arrangements during that period;

(iii) the offender's date of return to that address.

(4) In this paragraph—

"travel arrangements" include, in particular, the means of transport to be used and the dates of travel,

"accommodation arrangements" include, in particular, the address of any accommodation at which the relevant offender will spend the night during the relevant period and the nature of that accommodation.

(5) Where—

(a) an offender has given a notification under sub-paragraph (2), and

(b) at any time before that mentioned in that sub-paragraph, the information notified becomes inaccurate or incomplete,

the offender must give a further notification under sub-paragraph (2).

(6) Where an offender—

(a) has notified a date of return to the offender's home address, but

(b) returns to that home address on a date other than that notified,

the offender must notify the date of the offender's actual return to the police within 3 days of the actual return.

(7) Nothing in this paragraph requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under paragraph 14.

(8) In calculating the relevant period for the purposes of this paragraph there is to be disregarded—

(a) any period or periods which the offender intends to spend at, or travelling directly to or from, an address of the kind mentioned in paragraph 10(2)(g) notified to the police under paragraph 10(1), 11(1) or 12(1);

(b) any period or periods which the offender intends to spend at, or travelling directly to or from, any premises, if his stay at those premises would give rise to a requirement to notify the address of those premises under paragraph 11(2)(c).

TRAVEL OUTSIDE THE UNITED KINGDOM

14.—(1) The Department may by regulations make provision with respect to offenders subject to

notification requirements, or any description of such offenders—

(a) requiring such persons, before they leave the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (2);

(b) requiring such persons, if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (3).

(2) A notification under this paragraph must disclose—

(a) the date on which the offender proposes to leave the United Kingdom;

(b) the country (or, if there is more than one, the first country) to which the offender proposes to travel and the proposed point of arrival (determined in accordance with the regulations) in that country;

(c) any other information prescribed by the regulations which the offender holds about the offender's departure from or return to the United Kingdom, or about the offender's movements while outside the United Kingdom.

(3) A notification under this sub-paragraph must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

METHOD OF NOTIFICATION AND RELATED MATTERS

15.—(1) An offender gives a notification to the police under paragraph 10(1), 11(1), 12(1) or 13(2) or (6) by—

(a) attending at any police station in Northern Ireland prescribed by regulations under section 87(1)(a) of the Sexual Offences Act 2003, and

(b) giving an oral notification to any police officer, or to any person authorised for the purpose by the officer in charge of the station.

(2) Any notification given in accordance with this paragraph must be acknowledged; and the acknowledgement must be—

(a) in writing, and

(b) in such form as the Department may direct.

(3) Where a notification is given under paragraph 10(1), 11(1), 12(1) or 13(2) or (6), the offender must, if requested to do so by the police officer or other person mentioned in paragraph (1)(b), allow that officer or person to—

(a) take the offender's fingerprints,

(b) photograph any part of the offender, or

(c) do both of those things,

in order to verify the offender's identity.

(4) Fingerprints taken from a person under this paragraph (and any copies of those fingerprints) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(5) Photographs taken of any part of the offender under this paragraph (and any copies of such photographs) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(6) In this paragraph "photograph" includes any process by means of which an image may be produced.

PART 3

SUPPLEMENTARY

OFFENCES

16.—(1) A person who, without reasonable excuse, fails to comply with any prohibition or requirement contained in—

(a) a slavery and trafficking prevention order, or

(b) an interim slavery and trafficking prevention order,

commits an offence.

(2) A person who, without reasonable excuse, fails to comply with—

(a) paragraph 10(1), 11(1) or (6)(b), 12(1), 13(2) or (6) or 15(3), or

(b) any requirement imposed by regulations made under paragraph 14(1),

commits an offence.

(3) A person who notifies to the police, in purported compliance with—

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

any information which the person knows to be false, commits an offence.

(4) As regards an offence under sub-paragraph (2), so far as it relates to non-compliance with—

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

a person commits such an offence on the first day on which the person first fails, without reasonable excuse, to comply with the provision mentioned in paragraph (a) or (as the case may be) the requirement mentioned in paragraph (b), and continues to commit it throughout any period during which the failure continues.

(5) But a person must not be prosecuted under sub-paragraph (2) more than once in respect of the same failure.

(6) A person guilty of an offence under this paragraph is liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding 5 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(7) Where a person is convicted of an offence under this paragraph, it is not open to the court by or before which the person is convicted to make an order for conditional discharge in respect of the offence.

CROSS-BORDER ENFORCEMENT WITHIN UK

17.—(1) The Department may by order amend paragraph 16(1) so as to add to or remove from the list of orders in that paragraph any relevant UK order.

(2) "Relevant UK order" means an order under the law of Scotland or England and Wales which appears to the Department to be equivalent or similar to—

(a) a slavery and trafficking prevention order,

(b) an interim slavery and trafficking prevention order.

SUPPLY OF INFORMATION TO RELEVANT NORTHERN IRELAND DEPARTMENTS, SECRETARY OF STATE, THE COMMISSIONERS, ETC.

18.—(1) This paragraph applies to information notified to the police under paragraph 10(1), 11(1) or 12(1).

(2) The Chief Constable may, for the purposes of the prevention, detection, investigation or prosecution of offences under this Schedule, supply information to which this paragraph applies to—

(a) a relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners,

(d) a person providing services to a relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with a relevant function,

for use for the purpose of verifying the information.

(3) In relation to information supplied to any person under sub-paragraph (2), the reference to verifying the information is a reference to—

(a) checking its accuracy by comparing it with information held—

(i) in the case of a relevant Northern Ireland department, the Secretary of State or the Commissioners by that department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(ii) in the case of a person within sub-paragraph (2)(d), by that person in connection with the provision of services as mentioned there, and

(b) compiling a report of that comparison.

(4) Subject to sub-paragraph (5), the supply of information under this paragraph is to be taken not to breach any restriction on the disclosure of information (however arising).

(5) This paragraph does not authorise the doing of anything that contravenes the Data Protection Act 1998.

(6) This paragraph does not affect any power to supply information that exists apart from this paragraph.

(7) In this paragraph—

"the Commissioners" means Her Majesty's Commissioners for Revenue and Customs;

"relevant Northern Ireland department" means the Department for Employment and Learning, the Department of the Environment, the Department of Health, Social Services and Public Safety or the Department for Social Development;

"relevant function" means—

(a) in relation to the Department for Employment and Learning, a function relating to employment or training,

(b) in relation to the Department of the Environment, a function under Part 2 of the Road Traffic (Northern Ireland) Order 1981;

(c) in relation to the Department of Health, Social Services and Public Safety, a function relating to health or social care;

(d) in relation to the Department for Social Development, a function relating to social security or child support;

(e) in relation to the Secretary of State, a function relating to passports or the Gangmasters Licensing Authority;

(f) in relation to the Commissioners, any of their functions.

SUPPLY OF INFORMATION BY RELEVANT NORTHERN IRELAND DEPARTMENTS, SECRETARY OF STATE, THE COMMISSIONERS, ETC.

19.—(1) A report compiled under paragraph 18 may be supplied to the Chief Constable by—

(a) the relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners, or

(d) a person within paragraph 18(2)(d).

(2) Such a report may contain any information held—

(a) by the relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(b) by a person within paragraph 18(2)(d) in connection with the provision of services as mentioned there.

(3) Where such a report contains information within sub-paragraph (2), the Chief Constable—

(a) may retain the information, whether or not used for the purposes of the prevention, detection, investigation or prosecution of offences under this Part, and

(b) may use the information for any purpose related to the prevention, detection, investigation or prosecution of offences (whether or not under this Part), but for no other purpose.

(4) Sub-paragraphs (4) to (7) of paragraph 18 apply in relation to this paragraph as they apply in relation to paragraph 18.

INFORMATION ABOUT RELEASE OR TRANSFER OF OFFENDER

20.—(1) This paragraph applies to an offender subject to notification requirements who is—

(a) serving a custodial sentence; or

(b) detained in a hospital.

(2) The Department may by regulations make provision requiring the person who is responsible for such an offender to give notice to specified persons—

(a) of the fact that that person has become responsible for the offender; and

(b) of any occasion when—

(i) the offender is released, or

(ii) a different person is to become responsible for the offender.

(3) In sub-paragraph (2) "specified persons" means persons specified, or of a description specified, in the regulations.

(4) The regulations may make provision for determining who is to be taken for the purposes of this paragraph as being responsible for an offender.

POWER OF ENTRY AND SEARCH OF OFFENDER'S HOME ADDRESS

21.—(1) If, on an application made by a police officer of the rank of superintendent or above, a lay magistrate is satisfied that the requirements in sub-paragraph (2) are met in relation to any premises, the lay magistrate may issue a warrant authorising a constable—

(a) to enter the premises for the purpose of assessing the risks posed by the offender subject to notification requirements to whom the warrant relates; and

(b) to search the premises for that purpose.

(2) The requirements are—

(a) that the address of each set of premises specified in the application is an address falling within sub-paragraph (3);

(b) that the offender is not one to whom sub-paragraph (4) applies;

(c) that it is necessary for a constable to enter and search the premises for the purpose mentioned in sub-paragraph (1)(a); and

(d) that on at least two occasions a constable has sought entry to the premises in order to search them for that purpose and has been unable to obtain entry for that purpose.

(3) An address falls within this sub-paragraph if—

(a) it is the address which was last notified in accordance with this Schedule by the offender to the police as the offender's home address; or

(b) there are reasonable grounds to believe that the offender resides there or may regularly be found there.

(4) This sub-paragraph applies to an offender if the offender is—

(a) remanded in or committed to custody by order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(5) A warrant issued under this paragraph must specify the one or more sets of premises to which it relates.

(6) The warrant may authorise the constable executing it to use reasonable force if necessary to enter and search the premises.

(7) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the lay magistrate is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose mentioned in sub-paragraph (1)(a).

(8) Where a warrant issued under this paragraph authorises multiple entries, the number of entries authorised may be unlimited or limited to a maximum.

(9) In this paragraph a reference to the offender subject to notification requirements to whom the warrant relates is a reference to the offender—

(a) who has in accordance with this Schedule notified the police that the premises specified in the warrant are the offender's home address; or

(b) in respect of whom there are reasonable grounds to believe that the offender resides there or may regularly be found there.

GUIDANCE

22.—(1) The Department must issue guidance to the Chief Constable in relation to the exercise of the powers of the Chief Constable under this Schedule.

(2) The Department may, from time to time, revise the guidance issued under sub-paragraph (1).

(3) The Department must arrange for any guidance issued or revised under this paragraph to be published in a way the Department considers appropriate.

INTERPRETATION OF THIS SCHEDULE

23.—(1) In this Schedule—

"cautioned" means cautioned after the person concerned has admitted the offence;

"custodial sentence" means—

(a) a sentence of imprisonment,

(b) a sentence of detention in a young offenders centre;

(c) a sentence of detention under Article 13(4)(b) or 14(5) of the Criminal Justice (Northern Ireland) Order 2008;

(d) a sentence of detention under Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998;

(e) an order under Article 39A of that Order sending the offender to a juvenile justice centre;

(f) any other sentence under which a person is detained in custody;

"detained in a hospital" means detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986;

"home address" has the meaning given by paragraph 10(4);

"interim slavery and trafficking prevention order" means an order under paragraph 7;

"slavery and trafficking prevention order" means an order under paragraph 1 or 2;

"slavery or human trafficking offence" has the meaning given by paragraph 1(4).

(2) In this Schedule "passport" means—

(a) United Kingdom passport within the meaning of the Immigration Act 1971;

(b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;

(c) a document that can be used (in some or all circumstances) instead of a passport.

(3) In this Schedule a reference to a conviction includes a conviction for an offence in respect of which an order for conditional discharge is made, despite—

(a) Article 6(1) of the Criminal Justice (Northern Ireland) Order 1996 (conviction with conditional discharge deemed not to be a conviction), or

(b) section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (equivalent provision for England and Wales).

(4) Sub-paragraph (3) applies only to convictions after this Schedule comes into operation.

(5) In this Schedule a reference to a conviction includes a finding of a court in summary proceedings that the accused did the act charged, where the court makes an order under—

(a) Article 44(4) of the Mental Health (Northern Ireland) Order 1986;

(b) section 37(3) of the Mental Health Act 1983, or

(c) section 58(3) of the Criminal Procedure (Scotland) Act 1995,

(hospital and guardianship orders).

(6) In relation to an offence under the law of Scotland, a reference in this Schedule to a person being found not guilty by reason of insanity is to be treated as a reference to a person being acquitted by reason of the special defence in section 51A of the Criminal Procedure (Scotland) Act 1995.

(7) References in this Schedule to an offender subject to notification requirements are to be read in accordance with paragraph 9.

(8) In this Schedule, a reference to a finding that a person is unfit to be tried and has done the act charged against the person in respect of an offence includes a finding that a person is under a disability or insane and has done the act charged against the person in respect of an offence.

(9) A person's age is to be treated for the purposes of this Schedule as being that which it appears to the court to be after considering any available evidence.".— [Mr Ford (The Minister of Justice).]

Mr Ford: No doubt, the House will decide that it is teatime at this point. This group of amendments includes a range of provisions, which, together, will, I believe, reinforce the work of Government, law enforcement and civic society in tackling human trafficking and slavery, and in driving it from our shores. Some of these provisions broadly mirror equivalent measures in the Westminster Modern Slavery Bill. Others build on measures already included in this Bill. All of them have the support of the Bill's sponsor, Lord Morrow, the Justice Committee and the Executive.

They are intended to bolster our prevention and enforcement capabilities, to ensure that there is an informed and strategic coordinated response to these offences and to protect the public, or specific individuals, from the harm that such organised criminals wreak, by restricting the behaviours of convicted traffickers and exploiters, where that is necessary.

Amendment Nos 24 and 62 introduce new clause 5D and schedule 3, which create new powers for courts in Northern Ireland to impose slavery and trafficking prevention orders (STPO) where a person has been convicted of a human trafficking or slavery-type offence. These new civil orders are intended to protect the public or specific individuals from harm associated with human trafficking and slavery, servitude and forced or compulsory labour. These orders are preventative in nature. That is, they are intended to stop a person or persons becoming subject to a trafficking or slavery offence by restricting the harmful behaviours of convicted perpetrators.

Since STPOs would be imposed essentially as a diversionary measure to prevent an offence from occurring, it is important that they are proportionate. That is why an STPO under new clause 5D and schedule 3 could be imposed only in cases where the court is satisfied that there is a risk that the offender may commit a human trafficking or slavery-type offence and that the STPO, and the prohibitions and requirements in it, are necessary to protect individuals or the public from the physical or psychological harm that would be likely to occur if the offence were committed.

The nature of the prohibitions or requirements contained in one of these orders would be entirely a matter for the court on a case-by-case basis, depending on the nature of the risk presented. By way of some possible examples, however, they could impose restrictions on an individual to prohibit them from operating as a gangmaster, from working with children or from travelling outside Northern Ireland. Given the potential level of harm associated with these offences, I am satisfied that the STPOs are proportionate and appropriate.

The detailed provisions, including the effect of a slavery and trafficking prevention order, are set out in schedule 3 along with provisions for variation, renewal and discharge of orders and for appeals. Orders could be imposed by courts either on sentencing or following an application by the PSNI where an individual has been convicted of a relevant slavery or human trafficking offence; where they have been found not guilty by reason of insanity; where they have done the act but have been found unfit for trial; or where they have been cautioned in relation to a human trafficking or slavery-type offence. Breach of one of those civil orders would be a criminal offence attracting a sentence of up to five years on indictment or six months and/or a fine on summary conviction.

Work is under way in the other UK jurisdictions to introduce similar orders, although the regime in Northern Ireland will differ slightly from those in the other jurisdictions. For example, I do not believe that it is appropriate to extend STPOs to children and so the orders under new clause 5D and schedule 3 will apply only to adults. In addition, having considered concerns that were raised in response to my public consultation, I do not intend to introduce slavery and trafficking risk orders, which would apply to individuals even where they had not previously been convicted of or cautioned in respect of a human trafficking or slavery-type response.

Nevertheless, I wish to ensure that STPOs are enforceable across each UK jurisdiction. That is, where an order is made in Scotland or in England and Wales but is breached in Northern Ireland, it can be enforced by courts in this jurisdiction, and vice versa. In practical terms, to do this,

the relevant authorities need to know that an STPO is in place, and that is why I have included provision in respect of the notification requirements that would be attached to an STPO. These cover the information to be provided by the offender to the police in respect of their personal details, addresses, national insurance number and any travel plans, either within or outside the United Kingdom.

Our ultimate goal is that, through this Bill and other actions that my Department and its partners are engaged in, we may make Northern Ireland free from trafficking and slavery. To achieve this, we need to have a clear strategic vision and direction in place and we need to ensure that there is a consistent, joined-up approach across government, the law enforcement agencies and civic society. So, amendment No 25 introduces new clause 5E, which will build upon the existing annual human trafficking and exploitation action plans that my Department has produced over recent years. It will place a statutory duty on my Department to publish an annual strategy aimed at raising awareness of and, ultimately, reducing human trafficking and slavery, servitude and forced or compulsory labour in Northern Ireland.

In recognition of the importance of a joined-up response, new clause 5E places a requirement on my Department to consult other relevant organisations and to have regard to their views in drawing up the strategy. This approach reflects the productive partnership that my Department has had with statutory and non-statutory organisations through the organised crime task force and NGO engagement group respectively.

Placing this strategy on a statutory footing is a strong signal of my continuing commitment to working in partnership with other key stakeholders towards the eradication of human trafficking, slavery, servitude and forced or compulsory labour. New Clause 5E is intended to replace clause 15 of the Bill, and, as such, Lord Morrow and I agree that clause 15 should no longer stand part.

We have already debated the introduction of new clause 5G under amendment No 27, which relates to the investigation and prosecution of slavery and trafficking offences.

5.45 pm

New clause 5G is intended, as I said earlier, to replace subsections 2 and 3 of clause 7. I have also previously expressed concerns about the effect of subsection 1 of clause 7, which would place a requirement on my Department in respect of training which it could not fulfil, because the responsibilities rest across a wide range of bodies, including other Departments and statutory agencies. I highlighted earlier the work that was being done in respect of training. Lord Morrow and I have instead agreed that these matters should be covered by the statutory strategy required under new clause 5E. As such, we are agreed that clause 7 should no longer stand part.

Amendment No 26 introduces new clause 5F. It is intended to improve our understanding of, and, as a consequence, our response to, human trafficking and slavery offences as they occur in Northern Ireland. Much of our current understanding of the nature and scale of human trafficking is derived from the referral of potential victims of trafficking to the national referral mechanism (NRM). While it provides a helpful insight, we know that the information is limited, especially since, in the case of potential victims who are adults and who do not consent to a referral being made, that information will not be captured.

The UK Human Trafficking Centre also conducts an annual retrospective strategic baseline exercise to give an indication of others who may not be captured in the official NRM statistics. However, whilst it is helpful, that, too, is known to be limited. To address that, new clause 5F places a statutory duty on specified public authorities to notify the United Kingdom Human Trafficking Centre, which is now part of the National Crime Agency, of any person they believe may be a victim of trafficking or slavery-type offences.

The resultant data will be an important tool in helping to inform effective policy development as well as police operational responses. As such, information gathered in this way could, crucially, aid the recovery of other victims from situations where they are being trafficked and exploited, or lead to the conviction of perpetrators.

New clause 5F includes provision to ensure that information may be captured and reported in an anonymised form so that it is not lost, even in cases where an adult potential victim does not wish their personal details to be provided.

In debating these amendments, which will reinforce our capacity in respect of prevention and enforcement, I should also touch on clause 16, which would currently require my Department to establish an independent rapporteur for Northern Ireland to report on the operation of the Bill.

Members will be aware of the proposal in the Modern Slavery Bill at Westminster for a United Kingdom-wide anti-slavery commissioner. It is my firm view that a commissioner operating across the entire United Kingdom would provide a much better model of oversight than the local rapporteur envisaged by clause 16. The issue is primarily one of accountability. A UK-wide anti-slavery commissioner would have oversight of all law enforcement agencies and statutory organisations operating in the sphere of human trafficking and slavery in Northern Ireland, devolved and non-devolved. A local rapporteur would not. I believe that that is a critical factor, particularly given the wide range of bodies, both devolved and non-devolved, in combating these crimes here.

A UK-wide commissioner would also be best placed to identify and recommend best practice across each of the UK's constituent jurisdictions, as well as to offer a wider strategic view of human trafficking and slavery and associated trends across the United Kingdom as a whole.

Whilst I acknowledge that cost should not be our driving consideration, neither, in the current climate, can we afford to ignore financial implications. It is the case that a commissioner operating across the whole of the United Kingdom would offer greater economies of scale and value for money, and would ultimately be more affordable than a local rapporteur with limited oversight within this jurisdiction.

For those reasons, I intend to seek the Assembly's legislative consent to extend the anti-slavery commissioner under the Westminster Modern Slavery Bill to Northern Ireland. Lord Morrow has indicated that, in principle, he agrees with that approach, but that he wishes to see the detail of the draft Westminster legislation before he will support the removal of clause 16 from the Bill.

I have agreed a package of measures with the Home Secretary to ensure that Northern Ireland interests will be adequately met under the Westminster legislation, and I am satisfied that those will be effective and appropriate. However, Lord Morrow, quite understandably, wishes to be assured on the detail of the provisions. For that reason, I do not, at this stage, propose to push this House to a vote on clause 16. Subject to securing the Assembly's consent to a devolved role for the United Kingdom-wide commissioner, however, it is my firm belief that it should ultimately be removed from the Bill at Further Consideration Stage. I commend this group of amendments to the House.

Mr Givan (The Chairperson of the Committee for Justice): First of all, I will cover clause 15 and then amendment No 25.

There is widespread support for a statutory requirement for the Department of Justice to publish a strategy every year on raising awareness and tackling human trafficking and slavery offences in cooperation with governmental and non-governmental organisations. While the publication of the Department's human trafficking action plan in May 2013 was welcomed and could provide a possible template, the clear view was that there should be a statutory requirement to ensure continued commitment from the Department, particularly given that information sharing, data collection and collaborative working across agencies and departments continue to present challenges. A number of organisations also felt that the strategy should be flexible enough to respond to changing trends in trafficking and suggested that it should also include reporting on the measures prohibiting paying for sexual services of a person.

The Department advised the Committee that it was content with the statutory requirement in clause 15 for it to publish an annual strategy and that it intended to bring forward amendments regarding training, investigation and prosecution to replace clause 7(1), as discussed earlier, and to ensure the strategy must include matters relating to raising awareness of the rights and entitlements of victims of human trafficking across the criminal justice system, and that would address concerns relating to the prosecution of victims of human trafficking who have been compelled to commit an offence as a consequence of being trafficked.

The Committee supports the intention to place a statutory requirement on the Department of Justice to publish a strategy to raise awareness of and contribute to the reduction of human trafficking and slavery offences and agrees with the issues that the strategy should cover, including the proposed amendments from the Department.

Amendment No 25 introduces a new clause 5E, which effectively replicates the provision of clause 15 and the amendments that I have previously outlined. Given that there are no substantive changes and the replacement of clause 15 by new clause 5E is intended to accommodate technical changes and re-group the provision more logically within the Bill, the Committee is content to support this approach.

Amendment Nos 24 and 62, taken together, make provision for the courts to impose new slavery and trafficking prevention orders either upon sentencing or following an application by the PSNI. The Committee received information on these new civil orders, a breach of which will be a criminal offence, from the Department in September, and, having noted that they will enable the courts to respond swiftly by regulating the actions of those convicted of being involved in slavery and human trafficking offences where it is necessary to do so, thus protecting the public from harm, it is content to support these amendments.

The Committee also supports amendment No 26, which places a statutory duty on the PSNI and the Health and Social Care Trusts to notify the United Kingdom Human Trafficking Centre of any cases where there is reason to believe that an individual may be a victim of a human trafficking or slavery offence even in cases where the individual has declined to give their consent to a referral to the National Referral Mechanism. The capture of this additional information, even though it may be anonymised, will improve understanding of the extent and nature of human trafficking and slavery-like offences and, according to the Department of Justice, inform timely operational responses and the development of effective strategic and policy responses.

Mr Deputy Speaker, with your indulgence, I would like to briefly refer to clause 16, which provides for a Northern Ireland rapporteur to report to the Northern Ireland Assembly on the performance of this Act and other matters relating to human trafficking and slavery. The concept of an independent oversight mechanism to provide effective monitoring and accountability arrangements has been broadly welcomed, apart from by the PSNI and the Minister of Health, Social Services and Public Safety, who both felt that the current system of scrutiny and the accountability mechanisms were sufficient.

The key issue is whether a Northern Ireland rapporteur or a UK-wide anti-slavery commissioner is more appropriate. When the Committee sought evidence on this proposal, some organisations supported a UK-wide commissioner, given the international nature of human trafficking and the fact they would be able to look comprehensively at the actions of all the organisations and agencies involved in tackling trafficking in Northern Ireland, which a Northern Ireland rapporteur would not be able to do, given that responsibility for some organisations, such as the Home Office, the UK Human Trafficking Centre and the Gangmasters Licensing Authority, is not devolved.

In the absence of detailed proposals regarding a UK-wide commissioner, others felt clause 16 should be retained, at least in the meantime, and it was important that whatever form the rapporteur took, they should scrutinise the work of the PSNI and the relevant Northern Ireland Departments and report to the Minister and the Assembly.

Lord Morrow advised the Committee that he accepts that there is an argument for a national rapporteur to operate on a UK-wide basis but indicated that he had concerns about the fact that, as initially drafted in the Modern Slavery Bill, the commissioner would only consider law enforcement and not areas such as victim support, which the Northern Ireland rapporteur would have the power to do if clause 16 were enacted. He also highlighted the importance of having a rapporteur who would effectively consider the needs of Northern Ireland and its particular challenges, including the land border with the Republic of Ireland.

When the Committee visited Sweden, it met the Swedish national rapporteur and discussed her role, remit and the benefits of having such an appointment. Members support the principle of having an independent body to monitor and report on the response to human trafficking in Northern Ireland. The Committee therefore agreed to support clause 16 but noted that the remit of the anti-slavery commissioner, which is a post that would be created by the Modern Slavery Bill, could be extended to Northern Ireland and decided that it would consider the matter further once clarity on the position regarding such a commissioner and the remit and responsibilities was available.

More recently, the Department advised the Committee in September that the Minister has been engaging with the Home Secretary and with Scotland to ensure that Northern Ireland interests are covered with a view to including a provision in the Modern Slavery Bill to extend the commissioner's role to Northern Ireland, subject to the Assembly's consent through a legislative consent motion. I know that the Minister elaborated on that.

The Department outlined that the Minister has got agreement on a range of issues, including a requirement for the Home Secretary to consult devolved Ministers on the appointment of the commissioner, a duty on the Home Secretary to consult devolved Ministers before agreeing the strategic plan or annual report, a power for the Northern Ireland Minister to be able to request ad hoc reports on Northern Ireland matters, that reports by the commissioners will be jointly submitted to the Home Secretary and devolved Ministers, and that there will be a statutory duty on the Northern Ireland Minister to lay the reports before the Northern Ireland Assembly. The Department is due to brief the Committee on the proposed legislative consent motion at the meeting scheduled for 5 November.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I will be brief, because the Chair outlined all the main issues in relation to this group. On the latter point, officials will be coming to the Committee on 5 November to provide information on the process for the LCM, and I would say to the Minister that whatever detail is forthcoming should be shared with the proposer of the Bill, obviously, but certainly the Committee and, indeed, the wider Assembly.

Lord Morrow: I am glad to be able to support the Minister on the series of amendments that propose new clauses 5D to 5F and schedule 3. Amendment Nos 24 and 62 would introduce slavery and trafficking prevention orders through new clause 5D and schedule 3. They will help to ensure that those convicted of human trafficking and slavery can be prevented from embarking upon particular activities linked to committing human trafficking and slavery offences. I believe that such orders will provide the police with another tool in their armoury with which they can seek to tackle this crime. In and of themselves, they will not solve the problem but are a useful part of a package of measures that could make a real difference. Introducing such orders is a positive step forward in tackling this crime in Northern Ireland.

Amendment No 25, which relates to new clause 5E, would replace and amend clause 15, moving it up so that it sits in Part 1 rather than in Part 4. I am particularly grateful to the Minister for agreeing to have in statute a requirement to publish a strategy every year, which will ensure that the Department of Justice remains focused on tackling those crimes in Northern Ireland. The annual strategy will cover human trafficking and slavery offences. The Department will have to consult with other relevant organisations in drawing up the strategy. The strategy will need to consider how best to foster cooperation between organisations, the provision of training and equipment for those involved in investigating or prosecuting trafficking or slavery offences, and raising awareness.

While it would be wonderful if human trafficking and slavery could be eradicated in the near future, it seems unlikely in our increasingly globalised world. Consequently, ongoing efforts will be required by the Department to tackle this crime. Having an annual strategy that includes requirements for cooperation between organisations working in this field, provision for training and equipment for those involved in investigating and prosecuting those offences and provisions aimed at raising awareness of the rights of victims will help to improve the response of statutory and non-governmental organisations to human trafficking and slavery offences.

If the annual strategy were not in statute, a future Minister could simply end the publication of the annual action plan, and the Assembly could do nothing about it. Consequently, I feel that it is necessary for that provision to be kept in statute.

6.00 pm

As the Minister outlined, amendment No 26, which is new clause 5F, would place a statutory duty on particular public authorities to notify the National Crime Agency, of which the UK Human Trafficking Centre is a part, of any cases in which there is a reason to believe that an individual may be a victim of human trafficking or slavery offences. I believe that that is a positive amendment that will help statutory bodies to respond to human trafficking and slavery offences. As many Members will be aware, data on the extent and nature of human trafficking and slavery in Northern Ireland is often incomplete and limited. In reality, due to the hidden nature of the crimes, we consider that that will probably always be the case. However, the duty to notify the National Crime Agency will help to provide a better picture of the situation in Northern Ireland and will clearly assist law enforcement agencies and other statutory authorities to respond more effectively to the crimes being committed.

I also support the decision to ensure that that data does not go into the existing national referral mechanism statistics but is held in a different data set. That is very difficult terrain to navigate because, ideally, all victims of human trafficking would be willing to put themselves through the national referral mechanism process. However, in practice, a substantial group of victims does not want to do so. That may be because, on being rescued, they want to return immediately to their home country. It can also be caused, sadly, by a distrust of the police and other law enforcement agencies. Not requiring that the duty be a part of the current national referral mechanism process will allow additional anonymised data to be recaptured and will give us a clearer idea of the scope of the problem in Northern Ireland.

Clause 7 outlines requirements and resources for training, investigation or prosecution. I have already spoken about new clause 5E, and we have already agreed new clause 5G, which together cover the content of clause 7. With the Minister, I am therefore proposing to remove clause 7 from

the Bill. New clause 5E covers training needs, and new clause 5G will mirror clauses 7(1) and 7(2).

Clause 15 requires the Department of Justice to publish an annual strategy on human trafficking and slavery. Following constructive discussions with the Department of Justice, it was agreed that the clause required substantial amendment. Consequently, a redrafted clause was drawn up and has been introduced as new clause 5E, which I spoke about just now. I am therefore proposing that clause 15 be removed from the Bill.

I also want to speak about clause 16, on which no amendments have been tabled. One of the key requirements of the European directive and the European Convention is that there should be an anti-trafficking national rapporteur or equivalent mechanism to review the efficiency of anti-trafficking legislation and policy, so I provided for a rapporteur in clause 16. Since publishing that proposal in my draft Bill in August 2012, the UK Government have announced their decision to create the new office of an anti-slavery commissioner, which would have some overlap with the functions of a national rapporteur.

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

For me, the issues are now quite finely balanced. On the one hand, the remit of the anti-slavery commissioner is limited to criminal justice, and whilst the scope has been extended to improve identification of victims, it has nothing to do with victim care, which is, I believe, a very significant shortcoming. Moreover, the anti-slavery commissioner is not independent of government.

On the other hand, money is tight. Departmental officials indicated at the Justice Committee that it would cost around £50,000 annually to introduce a regional rapporteur for Northern Ireland, while it would cost only between £20,000 and £30,000 annually for Northern Ireland to be covered by the anti-slavery commissioner at UK level. In difficult financial times, we, as Members of the Assembly, have to bear that in mind.

I have received assurances from the Department of Justice suggesting that the commissioner would be of real benefit to Northern Ireland. As of today, the legislative consent motion that would enable Northern Ireland to benefit from the anti-slavery commissioner has not been tabled. I certainly am not willing to propose that clause 16 be removed until I have seen the text of that motion. I have been assured by the Public Bill Office that it will be possible for us to agree to keep clause 16 in the Bill today and make a final decision at Further Consideration Stage. Consequently, I propose that, for the moment at least, clause 16 should stand part.

Mr Ford: I am sure that it will be a pleasure to the House that we have concluded this group in such a short time. I have outlined at length the effect of the proposed measures. I believe that they are important: they will help to protect Northern Ireland from the evil done by those who seek to traffic and exploit others; they will provide the necessary new powers for our courts to protect people and deter perpetrators; and they will enhance our understanding of the nature and scale of these evil practices in Northern Ireland so that we can better target our efforts and be more strategic in how we use our resources to eradicate them.

After listening to the Members who spoke, I felt that it was clear that there was general support around the House. The one key issue that remains is that of the rapporteur and clause 16. I entirely accept Lord Morrow's point that he, at this stage, wishes to keep clause 16 in. From the conversations that my team and I have had with the Home Office, I am optimistic that we will be able to see the benefits of a UK-wide rapporteur in Northern Ireland, which, as Lord Morrow acknowledged, will have financial benefits as well as the benefit of ensuring that the role would look at non-devolved as well as devolved matters in this region. At this stage, Lord Morrow has made it clear that he wants to see the colour of my money as well as the colour of the Home Office's money. That is a perfectly reasonably position at this point, but I trust that, within the next week or two, we will be able to resolve that and deal with it properly at Further Consideration Stage. So, I am content that clause 16 stand part at this stage, and it appears that the House is content with the various amendments that I have proposed.

Question, That amendment No 24 be made, put and agreed to.

New clause ordered to stand part of the Bill.

New Clause

Amendment No 25 made: After clause 5 insert

*"**Strategy on offences under sections 1A and 1B***

***5E**.—(1) The Department shall, at least once in every year, publish a strategy on offences under section 1A and 1B ("relevant offences").*

(2) In drawing up the strategy the Department must—

(a) consult with other relevant organisations; and

(b) have regard to views expressed by such organisations.

(3) The purpose of the strategy is to—

(a) raise awareness of relevant offences in Northern Ireland;

(b) contribute to a reduction in the number of such offences.

(4) The strategy shall in particular—

(a) set out arrangements for co-operation between relevant organisations in dealing with relevant offences or the victims of such offences;

(b) include provision as to the training and equipment of those involved in investigating or prosecuting relevant offences or dealing with the victims of such offences;

(c) include provisions aimed at raising awareness of the rights and entitlements of victims of such offences.

(5) In this section "relevant organisation" means any body, agency or other organisation with functions or activities relating to relevant offences or the victims of such offences.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 26 made: After clause 5 insert

*"**Duty to notify National Crime Agency about suspected victims of offences under section 1A or 1B***

***5F**.—(1) A specified public authority must notify the National Crime Agency if it has reason to believe that a person may be a victim of an offence under section 1A or 1B.*

(2) The Department—

(a) must issue guidance to specified public authorities about the sorts of things which indicate that a person may be a victim of an offence under section 1A or 1B;

(b) may from time to time revise the guidance; and

(c) must arrange for any guidance issued or revised to be published in a way the Department considers appropriate.

(3) The Department may by regulations make provision about the information to be included in a notification under subsection (1).

(4) The regulations must provide that a notification relating to a person aged 18 or over may not include information that—

(a) identifies the person, or

(b) enables the person to be identified (either by itself or in combination with other information),

unless the person consents to the inclusion of the information.

(5) The regulations may not require information to be included if its inclusion would result in a disclosure which contravenes the Data Protection Act 1998.

(6) In this section "specified public authority" means a public authority specified in regulations made by the Department.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 27 made: After clause 5 insert

*"**Investigation and prosecution of offences under section 1A or 1B***

***5G**.—(1) The investigation or prosecution of an offence under section 1A or 1B is not dependent on the victim reporting the offence or accusing a person of committing the offence.*

(2) Proceedings for an offence under section 1A or 1B may be commenced or continued even if the victim of the offence has withdrawn any statement made in relation to the offence.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

Clause 6 (Paying for sexual services of a person)

Mr Deputy Speaker (Mr Dallat): We now come to the debate on the third group, which concerns opposition to clause 6 stand part and amendment Nos 28 to 39. This group deals with the offence of paying for sexual services and the Minister's opposition to the clause; the repeal of an existing offence in connection with prostitution; adding detail to the reporting duty in clause 6; and the Minister's alternative to clause 6A, which would amend the existing legislation to extend the timeline for prosecution of an offence relating to prostitutes subject to force.

Members will note that amendment No 32 is consequential to amendment No 31. I call the Minister of Justice, Mr David Ford, to speak to clause 6 stand part and to address the amendments in the group.

Question proposed, That the clause stand part of the Bill.

The following amendments stood on the Marshalled List:

No 28: In page 3, line 26, at end insert

"(2) In Article 58 (Interpretation of this Part) at the end of paragraph (3) insert "other than in Article 64A".".— [Lord Morrow.]

No 29: In page 3, line 26, at end insert

"(2) Article 59 (Loitering or soliciting for purposes of prostitution) is repealed.".— [Mr McCartney.]

No 30: In page 3, line 31, leave out "over the age of 18".— *[Lord Morrow.]*

No 31: In page 3, line 35, after "to" insert

"imprisonment for a term not exceeding 6 months or".— [Lord Morrow.]

No 32: In page 3, line 36, after "scale" insert ", or both".— *[Lord Morrow.]*

No 33: In page 3, line 37, before "to imprisonment" insert "on conviction on indictment".— *[Lord Morrow.]*

No 34: In page 3, line 39, after "advantage" insert

"to B or any person other than B".— [Lord Morrow.]

No 35: In page 3, line 41, leave out "(including sexual services)".— *[Lord Morrow.]*

No 36: In page 3, line 41, at end insert

"(3A) No offence is committed under this article unless the sexual services that are provided or are to be provided by B to A involve—

(a) B being physically in A's presence,

(b) B touching A or A touching B, and

(c) the touching is sexual.".— [Lord Morrow.]

No 37: In page 4, line 4, leave out "must raise awareness of this offence." and insert

"shall conduct an advertising campaign to ensure public awareness of the change effected by this section.".— [Lord Morrow.]

No 38: In page 4, line 7, at end insert

"(7) In particular the report must set out—

(a) information on the nature and extent of prostitution connected to human trafficking including numbers of arrests and convictions during the period covered by the report in connection with an offence under this Article or section 1A, 1B or 1D of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Act (Northern Ireland) 2014;

(b) the extent to which, in the opinion of the Department, this Article has operated to reduce human trafficking; and

(c) the impact of this Article on the safety and well-being of prostitutes.".— [Mr McCartney.]

New Clause

No 39: After clause 6 insert

*"**Time limit for prosecution of offences under Article 64A of the Sexual Offences (Northern Ireland) Order 2008***

***6A**.—(1) In Article 64A of the Sexual Offences (Northern Ireland) Order 2008 (paying for sexual services of a prostitute subjected to force, etc.) at the end add—*

"(5) Notwithstanding anything in Article 19(1) of the Magistrates Courts (Northern Ireland) Order 1981, proceedings for an offence under this Article may be brought within the period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the knowledge of the prosecutor; but no proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.

(6) For the purposes of paragraph (5)—

(a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as is mentioned in that paragraph came to the knowledge of the prosecutor shall be conclusive evidence of that fact; and

(b) a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.".

(2) Subsection (1) does not apply in relation to proceedings for an offence if—

(a) the offence was committed before the day on which that subsection comes into operation; and

(b) but for that subsection, Article 19(1) of the Magistrates' Courts (Northern Ireland) Order would have prevented proceedings being brought for that offence on that day.".— [Mr Ford (The Minister of Justice).]

Mr Ford: I welcome the opportunity to open the debate on whether clause 6 should stand part of the Bill. My view is that it should not, either in its original form or with amendment Nos 28 to 38.

The House will recall that, on previous occasions when this subject has been discussed, I have referred to the need to make and develop policy based on relevant knowledge, evidence and facts. My view has always been that clause 6 was, unfortunately, lacking in those component parts. We have, for example, heard quite a lot in previous discussion and debate about the law in Sweden, and I have taken the time to go there and hear for myself the views of interested parties. I have no wish to detract from what Sweden has done in their own best interests and for their own societal reasons, but I absolutely question the validity of making serious changes to the criminal law in this jurisdiction based on what happens to work for a very different country with a very different ideological outlook.

Mr Wilson: Will the Minister give way?

Mr Ford: Yes, I will.

Mr Wilson: If the Minister is going to use the justification that Sweden somehow has a different society from Northern Ireland, maybe he will explain why the restriction works in Sweden but would not work in Northern Ireland. What are the differences between the two societies?

Mr Ford: Deputy Speaker, rule number one is clearly never give way in the first 30 seconds of a speech before you have had the chance to explain anything. If Mr Wilson chooses to listen, he will hear some of the reasons as I go through them.

In order to plug what appeared to me to be an obvious knowledge gap, I commissioned research earlier this year into the framework of prostitution in Northern Ireland. The report of that research by Queen's University was published last week, and I wrote to all Members on Thursday to share with them a summary of the key findings relevant to this debate. Although the primary purpose of the research is to inform future policy development and legislative change, should that be necessary, we are now, at least, in a better position to understand why clause 6 is not the best way forward at this time, even if we do not have ready answers yet to make decisions on future policy.

I have two main concerns about the effect of clause 6. Those concerns are not based on an ideological view of prostitution but are grounded at a real and practical level. First, the clause began its life in a Bill designed to reduce the incidence of human trafficking both for sexual and other forms of exploitation. The argument in favour of such a provision says that criminalisation will reduce demand for sexual services, and, where demand is depressed, the traffickers will not come because there will be no market for them and they will go elsewhere. If only it were that simple. From the evidence provided by the research report, I have serious concerns over that basis for adopting clause 6.

The survey results make it clear that criminalising the purchase of sex will not deter those who buy sex to a significant extent: only 16% of those surveyed said that it would make them desist. Nor will it stop people selling sex. Indeed, if amendment No 29, standing in the name of Raymond McCartney, is carried, we could see it becoming easier to do. That amendment would repeal the current offence of soliciting in a public place for the purpose of selling sexual services. It seems that the Assembly needs to be careful that we do not ignore the fundamentals of policy development, which are so important — proper review, consideration and consultation — by engaging in what I fear to be a box-ticking exercise in the minds of some.

The argument in favour of criminalisation to reduce demand does not take account of the realities of prostitution, which we are now in a better place to understand. It fails to recognise that the people involved in prostitution are individuals, all with different backgrounds, different perspectives and different circumstances. This is not a homogeneous group. The research provides ample evidence of that fact with different ethnicities and nationalities, different genders, ages, educational provision, family status and reasons for involvement in prostitution. I am certainly not suggesting, nor has the research found, that everyone involved in prostitution has made an independent and free choice to do so. I totally accept the need for the law to protect the vulnerable and to punish the perpetrator. That is why so much of the Bill is good, right and proper. That is why I have worked with Lord Morrow to make the Bill as effective as possible in addressing trafficking and in supporting the victims, but that underpinning and shared desire is not furthered by clause 6.

In addition to not meeting the fundamental objective of depressing the market and thus reducing the attraction of Northern Ireland to traffickers, the provision will push the sale and purchase of sexual services further into the background, thus allowing more scope for criminality to become involved. Over 60% of the sex workers surveyed thought that criminalisation would put them at greater risk. That is the second failing, when we enter the territory of making law that not only is likely to be ineffective in achieving the fundamental objective of the provision but will create a more hostile environment in which women, at varying levels of vulnerability, will continue to sell sexual services.

We have two real problems here: law that may well be ineffective in reducing trafficking and law that may also increase the risk for women who continue to sell sexual services. The evidence from elsewhere is that some women will continue to sell, and some men will continue to buy.

6.15 pm

Mr Wilson: I thank the Minister for giving way. Of course, as part of his defence, he is using some of the research that he has commissioned through his Department and Queen's University. Does he accept that all the academics who were involved in the research took a very liberal point of view and were supportive of the sex industry rather than being opposed to it? Therefore, the information and colour of the research he got back was somewhat influenced by the views of those whom he appointed. If he had really wanted balanced research, why did he not at least ensure that there was some balance amongst the research team that was appointed?

Mr Ford: That is a fairly serious attack on the academic credibility of those who carried out the work. That group was awarded the contract on the basis of the case they put forward that they could do the research in an appropriate way. They have academic credentials and come from three institutions — it was not merely Queen's; there was also involvement from Galway and Berlin universities. On that basis, it is a fairly dangerous attack, with no evidence, on the credibility of those who carried out the research.

There is also a third element of clause 6, which has to figure largely for anyone who seriously wishes to engage in the proper consideration of the justification of the provision. Certainly, as Minister of Justice, I must be alert to the credibility of any proposed addition to the statute law. I have to accept that that role is likely to be curtailed in circumstances such as these, but I would be failing in my duty if I were not to point out to the House that the provision falls short on yet another count — having a credible chance of consistent enforcement — and therefore risks undermining the integrity of the criminal law.

The Chair of the Justice Committee said that I had some serious explaining to do regarding the concerns I expressed in my letter to Members over the views the police had on the question of enforcement. I think that the views I expressed were quite clear. I referred to the difficulties that were clearly articulated by the police at the Justice Committee and to the researchers, the difficulties that they would have in using clause 6 to emulate the way it is enforced in Sweden and, particularly in the current climate, to target finite resources to police consensual sexual transactions, instead of pursuing organised crime, trafficking and the associated sexual exploitation. There is no change to the police's position, and they have articulated that over a period of time.

There are real concerns about the implementation of clause 6 that are illustrated in the research report. First — this is one of the key points to learn from the comparison with Sweden — offences of consensual sex purchase in this jurisdiction will not reach the legal threshold of seriousness necessary for covert evidence gathering. We know that in Sweden evidence is obtained through telephone taps, largely of mobile phones, to get the necessary evidence to catch the perpetrators. Mind you, we also know that prostitution continues at a higher level in Sweden than is currently the case in Northern Ireland, despite its being illegal. We simply cannot rely on telephone taps to carry out covert operations against what is a consensual activity. It does not meet the required threshold, and a police superintendent would not be in a position to sign the necessary warrant for it. Secondly, it is absolutely clear, in any circumstances and particularly in the difficult financial circumstances we are in now, that police resources will quite rightly be focused on circumstances of sexual exploitation, whether it is trafficking, human slavery or whatever else. That has to be the priority, not the small instances of consensual sexual activity that are currently lawful and where there is full consent on the part of those participating. The third point is that, in the absence of things like intelligence from covert telephone tapping, witness evidence is very unlikely. Those are simple statements of fact as to how policing would operate in this jurisdiction, compared with elsewhere, as to the possibility of enforcing it.

The timing of the debate and the publication of the research report just last week have not allowed for full and proper consideration of how we might address the law and policy on prostitution for the future, but we should at least be perfectly clear on how the law works at present to protect victims of sexual exploitation. It is already an offence to buy sex from a prostitute who is being coerced. There is no defence to that charge; it is an absolute offence. The argument used in a radio interview by a recent former member of the Justice Committee that people will say that they did not know simply does not make any difference. The onus is on the purchaser to take the necessary steps to ensure that the person whom he is buying from is selling independently and without coercion. The logical conclusion of that is that no one at all should buy.

There has been criticism — I have no doubt we will hear it again today — that no prosecutions have been brought for this offence. To improve the prospect of obtaining successful prosecutions, I have tabled an amendment to article 64A of the Sexual Offences (Northern Ireland) Order 2008 to make it more effective. Amendment No 39 will extend from six months to three years the statutory time bar on the prosecution of offences of paying for sex with a prostitute subjected to force. I have done that on the advice of the police and the prosecution service, to better enable them to successfully prosecute purchasers where a case against the traffickers or exploiters first has to be completed. It is clearly the case that, if it can take a year or sometimes up to two years to prosecute exploiters, having a six-month limit on the prosecution of clients is inadequate. It is also clear that having three years to prosecute clients would make a significant difference and would mean that they did not get the opportunity to get off on timing.

The provisions already available to target sexual exploitation are often ignored or dismissed. When a person knowingly engages in sex with a prostitute who is being subjected to any form of force — if it is knowing — the law is absolutely straightforward: the absence of consent to the act means that the purchaser will be guilty of rape or serious sexual assault. No lesser charge would be appropriate; no lesser charge is appropriate.

My support for the vast majority of this Bill is not in question. I hope and believe that Lord Morrow will accept that as a true statement. Human trafficking remains a global curse that we all want to see stopped, but clause 6, in my opinion, does not further those shared objectives. I know that there are honourable and principled beliefs in the House that drive the desire of Lord Morrow and others to see this provision enacted; I cannot and do not fault people for that. However, as Minister of Justice, I also hold firm views on how the criminal law is used and, in that context, I cannot support a provision that I do not believe addresses the primary objective: to reduce the demand for trafficking into sexual exploitation. The provision will not act to protect women who sell sexual services, and it will not lend itself to reasonable standards of enforcement. I therefore oppose clause 6 and urge —

Mr Givan: I appreciate the Minister giving way. He touched on the police's position in respect of this. At the meeting of the Justice Committee, Assistant Chief Constable — now Deputy Chief Constable — Drew Harris said this, and I want to be clear and put it on the record, so I quote him:

> *"We believe that clause 6 sends out a strong message ... it offers us another plank on which to mount prosecutions against those who have used prostitutes."*

He went on to say in that Committee meeting that the police supported clause 6 with some qualifications:

> *"We are not opposed to clause 6 ... We give it qualified support".*

That is important, and I will elaborate on it when I speak. However, I want to counteract some of the Minister's remarks: the police support the clause because it sends out a strong message and allows them another tool to target those who use prostitutes.

Mr Ford: The issue is that reservations have been expressed about the practicality of clause 6 and the existence of laws that are already there to deal with prostitutes who are subject to any kind of coercion or force . That is the position that, it seems to me, has also been clearly articulated in recent times by the police.

The reality is that we have to ensure that we get legislation that works and has a chance of securing convictions and that we address the issue of prostitution in an appropriate way, which can be done if we look in a wider sense at the body of research we have and at other information available to the House.

I fear, however, that clause 6, even with the proposed amendments, merely creates difficulties with law enforcement without the prospect of getting the convictions we want. The key issue for me is the fight against trafficking, and by capturing consensual sexual relationships at the same time, whatever we may think of them, we run into the danger of not succeeding in the key objective of the Bill, which is to protect the vulnerable, fight the traffickers and ensure that we put in support mechanisms to deal with those who wish to exit prostitution and get the benefits from doing so. I therefore oppose clause 6.

Mr Givan (The Chairperson of the Committee for Justice): First, I apologise for missing the first part of the Minister's contribution in this very important debate on clause 6. I am pleased to stand here and speak in support of clause 6, as the Chairman of the Committee for Justice and on a personal basis.

Clause 6 has attracted the most attention, the most comment and the most controversy. Much of the written evidence received by the Committee focused on the clause, and we took the opportunity during the oral evidence sessions to explore and debate in considerable detail the evidence for and against it with a wide and varied range of stakeholders. Those stakeholders included the Minister of Health, Social Services and Public Safety, Department of Justice officials, the Police Service of Northern Ireland, the Public Prosecution Service, voluntary organisations that provide support to trafficked victims and work with those involved in prostitution, academics, church and faith-based representatives, human rights organisations, and individuals who are or were involved in prostitution. We also held informal meetings with a victim of trafficking for sexual exploitation and a sex purchaser. The evidence that we heard, particularly from former prostitutes and the victim of human trafficking, was some of the most powerful and distressing that I, and I am sure I speak for all the Committee members, have ever experienced.

To assist consideration of the issues, the Committee undertook a visit to Sweden, which was the first country to pass legislation to prohibit the purchase of sexual services, and met with a range of governmental and non-governmental officials, including the national rapporteur. We also met with the Oireachtas Joint Committee on Justice, Defence and Equality to discuss the findings and conclusions of its report on a review of legislation on prostitution, which was published in June 2013 and recommended the adoption of the Swedish approach of criminalising the purchase of sexual services.

While a majority of the written submissions received by the Committee supported clause 6, either in its entirety or in principle, a number raised a variety of arguments against it. A number of those who supported the introduction of the clause also highlighted the need to ensure that a support package is put in place to provide assistance to those who wish to exit prostitution and wanted to see that included in the Bill. As a result of that evidence, Lord Morrow has brought forward an amendment to provide for such support. I very much welcome that, and I am sure that the Assembly will support it when we debate it later.

A number of key issues, which I want to touch on briefly, came through in the evidence. The first is the reasons for people entering prostitution. Some academics and those who represented sex workers indicated that there were those who entered prostitution as a career choice. However, former prostitutes and organisations involved in providing support and assistance to prostitutes and former prostitutes who gave evidence to the Committee, including Women's Aid and Ruhama, indicated that frequently the reasons related to poverty, homelessness and abusive and dysfunctional family backgrounds rather than a career choice. The Northern Ireland Human Rights Commission,

in its oral evidence to the Committee, stated that protecting vulnerable people had to be the priority and that it therefore welcomed clause 6, viewing it as reasonable and proportionate to legislate in that area.

Concerns were also voiced that clause 6 could have a negative impact by driving prostitution underground and preventing people reporting incidents or seeking assistance from the authorities.

However, the overwhelming majority of respondents were firmly of the view that prostitution was already underground because of its very nature, the prevalence of criminal elements within that area and reporting of incidents to the statutory authorities rarely taking place. In evidence provided to the Committee, when asked if she had reported an instance of rape to the police, Mia, a former prostitute, said:

> *"No. Calling the police is not something that you even think of ... It is hard enough for women outside prostitution to take rape cases. Many people do not even believe that a prostituted woman can be raped. It does not even enter our heads to call the police."*

6.30 pm

The message that legislation that criminalises the purchase of sex would send was also highlighted, with many stakeholders firmly of the view that it would challenge and change attitudes within society towards prostitution and curtail demand. They drew attention to research that has shown that changing the law in Sweden has had a transformative effect on public attitudes over the past 10 years regarding paying for sex and the attitudes of men to buying sex, particularly amongst the younger population. In 1996, before the law came in, just under 70% of the population were against criminalisation. In 2008, 70% supported the law, with 78% of people aged 18 to 28 in support of it.

I say that bearing in mind figures from an opinion poll of 1,000 people in Northern Ireland, where we are already ahead of the public attitude in Sweden, where they have criminalisation. The people in Northern Ireland have recognised what the right thing to do is even before this law is brought in. The figures that struck me most in that survey was that 16- to 34-year-olds were of the strongest view that it was right to bring in the provision contained in clause 6.

Those opposed to clause 6 were, however, concerned that the impact could be to ostracise prostitutes further, and referred to evidence that, in their view, demonstrated that sellers were further stigmatised in Sweden following the introduction of the Swedish Sex Purchase Act.

Another issue raised was whether further research on the nature, scale and extent of sex work and the links between human trafficking and prostitution was required before adopting legislation on criminalising the purchase of sexual services in Northern Ireland. However, those organisations that work on the ground with trafficked victims and those in prostitution indicated that there was ample evidence on those areas and the situation would be little different in Northern Ireland.

As I mentioned, a key issue raised was the importance of ensuring that support services were put in place for those who were in, had exited or wished to exit prostitution before clause 6 is enacted. I will return to that issue in the next debate.

I will turn to the issue of whether clause 6 should be included in this Bill. Those who do not support it have indicated that the selling of sexual services and human trafficking are separate, complex social phenomena that require separate policy and legislative responses. The view of those in favour of clause 6 is that there is overwhelming evidence and research available to demonstrate that prostitution and trafficking are inextricably linked. For example, two recent reports by economists published by the International Labour Organization showed a direct correlation between scale and percentage. In other words, the more the sex industry grows, the bigger the scale of trafficking. It is, therefore, not just appropriate but essential to include clause 6 in the Bill.

Let me speak about the Swedish model in more detail. The majority of those who gave evidence to the Committee were of the view that the Swedish model of criminalising the purchase of sexual services was an effective, tried and tested model and was the best way to tackle the demand for prostitution and trafficking of human beings for the purposes of sexual exploitation.

The Committee visited Sweden to gain first-hand knowledge of the legislation that is in place and the impact that it has had. We met a range of governmental and non-governmental officials, including the national rapporteur, and engaged in detailed discussions on how the legislation works in practice, the effect on the scale and nature of human trafficking and prostitution in Sweden and the benefits and outworkings of it. All members found the visit very interesting and informative.

Many of the issues that have been raised in the debate on clause 6 were discussed. Governmental officials were adamant that the legislation in place in Sweden works and has not driven prostitution further underground. They stated that the sellers and buyers have to find each other; therefore, the authorities can also find them. Of particular interest, was the discussion with a detective inspector in the vice team, who candidly admitted that the Swedish police were initially opposed to the legislation, as they did not think that it would work. However, they now fully support it and believe that it has assisted in tackling prostitution and trafficking.

Following the visit to Sweden, the Committee met the Oireachtas Joint Committee on Justice, Defence and Equality to discuss the findings and conclusions of its report on a review of legislation on prostitution, which recommended the adoption of the Swedish approach of criminalising the purchase of sexual services. The meeting provided the opportunity for a useful and interesting discussion on how that Committee unanimously concluded that criminalising the purchase of sexual services would curtail demand and therefore lessen the incentives for human trafficking.

Committee members also took the opportunity to raise some of the key issues that I outlined earlier, including the message sent out by legislation to criminalise the purchase of sexual services, whether such legislation should be separate or part of the Human Trafficking Bill and whether further research is required. The Joint Committee pointed to significant international research and evidence of the link between human trafficking and prostitution, including

the report of the international human-trafficking unit, the European Union anti-trafficking coordinator and the report from the United States Department of State on its monitoring of international trafficking. The Joint Committee suggested that separating trafficking and prostitution could undermine what the legislation is aiming to achieve.

The Joint Committee felt strongly that the criminalisation of the buying of sexual services would have the effect of sending a message that prostitution was not acceptable in today's society. It has received evidence that trafficking was happening because of the demand for sexual services and the money to be made. In its view, while the legislation would not totally prevent prostitution, it would curtail demand and challenge attitudes within society towards paying for sex and indicate a desire to protect the most vulnerable in society who were unable to do so for themselves.

Mr Poots: Will the Member give way?

Mr Givan: Yes.

Mr Poots: Does the Member agree with me and, indeed, with the European Union anti-trafficking coordinator, who said that trafficking, organised crime and prostitution are linked? Why would the European Union coordinator be wrong on this issue and the Minister right?

Mr Givan: I think that the European coordinator is right. We can see the tide coming across Europe on this issue. You had the Nordic countries of Sweden and Norway, and now we have it being taken forward by the French Parliament, led by the socialist movement on this occasion. You had the vote in the European Parliament, leading on this issue as well. Northern Ireland has the opportunity to lead within the United Kingdom and on the island of Ireland. It is right that we do so, given the overwhelming evidence that exists at an international and at a local level. Now is the time to do it.

To conclude on the Joint Committee of the Oireachtas that dealt with this: it also highlighted the importance of ensuring that support services are in place for those who wish to exit prostitution.

Speaking briefly in an individual capacity, I believe that the engagement with the Joint Committee at the Oireachtas was one of the most beneficial visits that the Committee undertook. I single out one member of that Committee because, in my view, he spoke very well. He does not come from my political belief-set and does not share my constitutional beliefs, but it is Pádraig Mac Lochlainn, who is a Sinn Féin TD. Pádraig Mac Lochlainn was the most articulate and effective at that meeting in being able to answer questions from Committee members to try to help get a better understanding of the approach that has been taken in the Republic of Ireland on this issue. I want to put that on the record, because I think that it is right to pay tribute to the work that he has been doing on this issue in the Republic of Ireland. He has been leading on it, and I found the arguments that he made during that visit to be very persuasive. In the spirit of trying to put out the hand of generosity on this issue, it is right that I pay tribute to a Sinn Féin member who, in my view, has been a champion of this cause.

I will now clarify the position of the PSNI on clause 6. I commend the PSNI for listening to and taking account of the evidence received by the Committee, which has resulted in a significant change of position. The written submission received from the Police Service highlighted a number of concerns and indicated a view that the deterrent value of the legislation would be minimal and would present investigative difficulties. However, when Assistant Chief Constable Drew Harris attended in February, he stated that the PSNI welcomed clause 6 as it sent out a strong message that Northern Ireland is a difficult place for organised crime groups to operate in. If the law were passed, the PSNI envisaged that prosecutions may flow from major ongoing investigations into organised crime gangs. ACC Harris highlighted the fact that Northern Ireland is a target for such groups. He said that demand existed for prostitutes and that crime gangs regard it as high yielding in cash and low risk, so it is attractive to get involved. Most of the groups operating prostitution in Northern Ireland come from outside the jurisdiction, and clause 6 would send a strong message of intent and demonstrate our revulsion at that type of crime.

The PSNI welcomed the awareness that had been raised regarding human trafficking in Northern Ireland as a result of the debate on the Bill and indicated that, if clause 6 were passed, it would use the legislation to the best effect it could. When pressed by the Committee to clarify the PSNI position, which had obviously moved from that outlined in its written submission, ACC Harris stated that, having listened to the debate and discussed it as a command team, the PSNI was now in a position of having qualified support for clause 6. He said that he believed that the impacts could be positive, but that, at that stage, it was difficult to quantify.

Having taken such a substantial range of evidence, the Committee discussed and debated the merits of clause 6. A number of members, including me, indicated that they supported the clause and the amendments that Lord Morrow intended to make to narrow the scope of the offence, provide further sentencing options and require an advertising campaign to ensure public awareness of the changes in the law. We noted that a wide-ranging group of organisations, including the Irish Congress of Trade Unions, various Christian Church groups and organisations such as Women's Aid that work with and support victims of human trafficking and those in prostitution, indicated in written and oral evidence that they fully supported the criminalisation of the purchase of sexual services in Northern Ireland. The evidence from those who had exited prostitution and victims of sex trafficking made a compelling case for the introduction of clause 6. As one former prostitute put it:

> *"it is not possible to defend prostitution without defending all the harm and damage it causes. Therefore, it is not possible to be pro-women in prostitution but not pro-prostitution, as some argue for upholding the sex trade."*

In our view, the information obtained during our visit to Sweden regarding the impact that its legislation had on reducing demand for sexual services and tackling human trafficking and the meeting with the Oireachtas Joint Committee added weight to the argument to support clause 6. We also noted developments that had recently taken place that indicated a move towards the adoption of similar legislation in other countries such as France, the publication of the European Parliament's Committee on Women's Rights and Gender Equality report on sexual exploitation

and prostitution and its impact on gender equality, the European Parliament's plenary vote, which supported the position that demand reduction should be part of the strategy to reduce trafficking, and the Westminster all-party parliamentary group on prostitution and the global sex trade, whose report recommended that there should be a general offence for the purchase of sexual services. All that strengthens the argument for clause 6.

The members in support of clause 6 strongly believe that there is a clear link between human trafficking and the demand for sexual services. Criminalising the purchase of such services will curtail demand and therefore lessen the incentive for human trafficking for sexual exploitation, thus reducing it and making Northern Ireland a hostile place for such activity. Without clause 6, the objectives of the Bill are weakened.

6.45 pm

The view was also expressed that changing the law changes and creates values over time. The drink-driving legislation was cited as an example. Changing the law will challenge attitudes in Northern Ireland to paying for sex and indicate a desire to protect the most vulnerable and tackle trafficking for sexual exploitation.

Let me stop and speak briefly as an individual MLA. For me, there are serious question marks over the quality of the Queen's University research. I know that colleagues will go into that in more detail, but, if you accept the bona fides of that research, it should alarm, disturb and disgust all Members to learn that 17,500 men pay for sex every week in Northern Ireland. That, in itself, should send a very clear message to Members that we need to challenge that attitude. Those people believe that it is right to treat women and young girls as a commodity that they can buy for their sexual gratification. That, in itself, if you accept the Queen's University research, should give people a mandate to walk through the Lobbies in support of this law to challenge that attitude.

When completing Committee Stage back in April, other members of the Committee indicated that they were not in a position, at that time, to support clause 6. They stated that they required more evidence on the size and nature of prostitution in Northern Ireland, and they were concerned about the possible unintended consequences for those involved in prostitution of criminalising the purchase of sexual services. The Committee agreed to support clause 6, subject to the proposed amendments, with no member of the Committee voting against the clause. I hope that Committee members who were unable to express support for clause 6 back in April are in a position to do so today.

As I finish speaking as Chairman of the Committee, I want to bring to the attention of Members two quotes from informal meetings that the Committee held. One trafficked individual, Anna, has spoken in the media. She did not want to appear in the public sessions but met members privately. The other quote is from an individual whose evidence I found totally abhorrent and disgusting but who was incredibly candid and gave a real insight into the mind of someone who engages in paying for sexual services.

Let me quote the individual who thought that it was right to pay for sex. He believed that prostitution was driven by accessibility and acceptability. He was asked whether criminalising the buyer would stop him from buying sex. That individual said that he had engaged in encounters with over 200 individuals, not just in Northern Ireland but in foreign countries. He told the Committee that, even though he suspected that the people with whom he engaged were underage, that they were children, it did not stop him from having sex with — in my view, raping — those young girls. That is the type of mindset that exists. That is what we are talking about when we talk about the individuals involved.

That individual lives in Northern Ireland, is married and has three children. We asked him what his response would be if the law was introduced: would it stop him buying sex? He answered yes, saying that his wife knew nothing about his sex-buying and that the naming and shaming would be a massive deterrent. That was his response. Take it at face value, given the conduct in which he was engaged and the type of individual involved. He was a married man with three children. What was the single most important deterrent to him? The public shame — getting caught. The onus of enforcement would be on the buyer, not the seller, who is the victim in these instances. It is the effect of naming and shaming that would deter him from engaging in that activity.

The second quote is from Anna, who was trafficked to Northern Ireland for sexual exploitation. She stated that her one wish was for legislators to bring in laws criminalising men who pay for sex. She said, and I quote:

> *"Gangs involved in trafficking would not give up their profits easily and the only way to end trafficking is to end demand."*

I support clause 6.

Ms Ruane: Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht seo. Tá an Bille seo an-tábhachtach ar fad. I welcome the debate and the fact that the private Member's Bill has been brought forward by Lord Morrow. From the outset, it is obvious to anyone in this House that I am coming from a very different side of the political spectrum from Lord Morrow. He is a unionist. I am a republican. I do not want to label anybody, but I presume that he considers himself to be to the right. I consider myself to be to the left. I have never heard him call himself a feminist, whereas I am a strong feminist. You will have heard me say that on many occasions.

It is nice to hear my colleagues in the South of Ireland, such as Pádraig MacLochlainn TD, whom I was speaking to earlier today and over the weekend, getting such high praise. The best way to support the work that he has done is by supporting my party's amendment, which does not criminalise women. I look forward to hearing from the Member on that. It is also nice to see that the DUP is not afraid to break parity. We have heard a lot about parity over the years, and it is good to see that it is not afraid to break it.

I have watched the debate. I met many people and had discussions with women and men right across this island and indeed throughout the world. I have watched as progressive groups such as Amnesty International and Women's Aid are on opposite sides of the argument. I have enormous respect for both those organisations. I have listened as many women spoke about the rights of sex workers and workers while other women talked about prostitution with regard to human rights abuses and the exploitation of women. I have listened to academics. I will

not engage in putting down research by any academics because the reality is that there are hundreds of them in the world, doing their research and coming from different perspectives. That is the reality. We can sit here and rubbish one report and use another. What I say is that, yes, the Minister has his report, but, equally, there is the report of 75 very esteemed academics in Ireland who are very critical of the approach that the Minister is taking. Today, I will not get into —

Mr B McCrea: Will the Member give way?

Ms Ruane: I will, Basil, yes.

Mr B McCrea: Thank you. I would like to ask you to think again about research. Does that mean that we do not bother with any research because you will always get some that supports your argument and somebody else will get their own research? Surely there must be something that we can rely upon to inform public debate.

Ms Ruane: I am not anti-research; I am all for it. The more research we have, the better. However, what I will not do here today is rubbish one report and say that another is wonderful because it supports my argument. The point that I am making is that academics are divided on this; let us not pretend that they are not. Some want to see legalisation of the so-called sex industry and regulations to protect people from it; others want to see the criminalisation of the purchaser of sex and for women who are prostitutes not to be criminalised.

As regards legal views, we could have different lawyers here who all have different opinions, depending on what question they are asked. I have always been very clear: I like the Nordic model. I believe that we should criminalise the purchaser of sex and decriminalise women. On a recent visit to Iceland in the summer with some of my colleagues who are here in the Chamber, we met the Minister of Social Affairs and Housing. I am not very good at Icelandic, but her name is Eygló Harðardóttir. Gender equality comes under her Department.

She was very supportive. As you know, Iceland is one of the countries that did bring in this law, and she was strongly in support of it. I absolutely accept some of the points that the Minister made. Some of those countries are much more equal than we are, have a much stronger focus on gender equality and are much fairer societies, but that should not be an excuse for us not to bring in good law.

We heard that different police forces have different interpretations. I am sure that the Dutch police would give us a very different view than the Swedish police now. Members will know that I am on the Policing Board. I listened to the PSNI, which started by saying that it would not be able to police it, and then — this is where the confusion comes in — changed its position when challenged. It is not up to the PSNI to decide what can or cannot be policed. It is up to the Assembly; it is up to us to make the law. For too long, and too often in the past, the PSNI took positions that were not actually its to take; parades is just one example of that. I am glad to see that the PSNI has now stated the correct position, which is that it will respect what the House agrees.

In Sinn Féin, we have had a robust debate. We have had detailed scrutiny. We have reserved our position. We wanted to genuinely hear all points of view. We are not nodding dogs. Debate, and grappling with complex issues, is part and parcel of our everyday political life. I am not on the Justice Committee, but I pay tribute to my colleagues Seán, Raymond and Rosie. I particularly thank Rosie for her attention to detail on this. We had an all-Ireland team, as you would expect from us, and Pádraig Mac Lochlainn and his team also worked with us.

I want to state in the House today that I respect people's right to hold different views and accept that many of them are sincerely held. I make no judgement on them. Personally, I have had a very clear view on this for a long time. I support clause 6. Our aim is to ensure that women in prostitution are not exploited. This means that we must create the circumstances where the women are not criminalised. That is why Sinn Féin tabled amendment No 29 and why we are looking for your support. The Chair of the Justice Committee will be delighted to know that Pádraig Mac Lochlainn supports the amendment. I ask for support for the amendment from across the House.

I support the Nordic model, but the debate has become very — what would you say — polarised. Nobody is saying, and I am certainly not saying — and to be fair to Lord Morrow, I have not heard him say — that we are going to get rid of prostitution in the morning, next year or the year after. However, I have heard people say that this is an important step in the right direction.

I am 52 years of age. I am a mother and a grandmother — a mamó, as Gaeilge. I have lived and worked in three continents. I have worked with some of the poorest people. I remember being in one country, which I will not name, where I had to go to a mother to tell her that her five-year-old child was getting $2·50 to have oral sex with a soldier. The reason that was happening was that nearly every prostitute in the town had AIDS. It broke my heart to go to that house. You could not call it a house; it was the size of nothing, with five children living in it. The mother did not know where her next penny was coming from. She said to me, "I've five children. I hid his clothes. I don't know how to stop him. I'm worn out."

Mr B McCrea: Will the Member give way?

Ms Ruane: I will.

Mr B McCrea: I am touched by the story that you have recounted. I think that everybody would be saddened by it. However, the Member will no doubt be aware of the International Labour Organization, which runs a large campaign about the reduction of AIDS.

7.00 pm

It has a report out that says that you will not be able to tackle the Aids epidemic throughout the world unless you are able to decriminalise sex. The argument that it makes is that there is no access to condoms, health provision or any of those things. If the Member is concerned about tackling disease in the human condition, and I am quite sure that she is, surely she agrees that we must find a way of making it acceptable to get support to the people who need it most.

Ms Ruane: I absolutely agree. I will come on to the International Labour Organization, and of course I will come on to proper sex education, which we have not had for too long in our society. Our children and young people need proper sex education.

Ms P Bradley: I thank the Member for giving way, and I thank her for telling us that. Will the Member agree with me that, in our country, we do not have a lot of those problems with HIV and Aids, but we do have men and women in our country who, daily, are abusing children as young as that and using them for sexual gratification. We do not know whether they are the children next door to us or children who are being trafficked into this country. So it is happening here in Northern Ireland as well.

Ms Ruane: I thank the Member for her intervention, and I absolutely agree with her.

As I was saying, I have worked on three different continents. I have worked with some of the richest people in the world, and I have worked with some of the poorest. As Members here will know, I was Minister of Education in the Assembly for four years. During that time, I met thousands of young people. I had daily conversations with them about careers and futures. In all those 52 years and in all those various jobs, no one ever said to me, "When I grow up, I want to be a prostitute."

The reality is that there are deep inequalities in Ireland, North and South. There are deep inequalities in the global north/south. I agree with my colleague Basil McCrea that a multifaceted approach is needed to deal with many of these issues. I am glad to hear the Chair of the Justice Committee talking about gender equality. We do not hear it enough from the opposite Benches, but I welcome the fact that we are hearing it more and more. Women are under-represented in politics, business, statutory bodies, sporting and cultural bodies, and international organisations.

The strongest message that we got in Iceland was that it is a more progressive society because women are active citizens in that society. I see my colleague Paula Bradley nodding her head in agreement, because she, too, was on that trip. It is in all of our interests — men and women — that we create a fairer, more equal society. I ask those men who do not yet call themselves feminists to do so rather than to react. You have daughters, and I have yet to meet a father who says that they do not want their daughters getting a fair crack of the whip and fair play.

Mr Givan: I thank the Member for giving way. I am all in favour of gender equality. I have no issue with that whatsoever. Let me say it as a father. I do not often talk about my children, but I have three daughters: Annie, Holly and Maisie. One is seven, one is five, and the other is coming two in a couple of weeks. What disturbs me is that there are people in our society who believe that they could be a commodity for them to buy. I could never, ever support such a proposition. Shame on those in the House who want to defend the enslaving and exploitation of my children and other people in the future for taking that approach.

Ms Ruane: I thank the Member for his intervention, but I have not heard anyone —

Ms Lo: Will the Member give way?

Ms Ruane: I will, yes.

Ms Lo: While, obviously, I agree that no children would want to be in prostitution as a career, it is important to note that many of them have been driven into prostitution because of social inequalities, poverty, drug addiction, homelessness — various social problems. We need to eradicate those social inequalities — those difficult problems that they experience. Then, they would not be driven into prostitution.

Ms Ruane: I absolutely agree with my colleague, and I am coming to some of those points. I have not heard anyone in the House trying to defend exploitation, prostitution or people who abuse women. I have not heard that, and I think we need to be fair. Rather than saying, "Shame on people who do not agree with us", I think we need to recognise that we are having a very honest debate. Nobody has all the answers. I have one view; other people have other views. I am going to believe that all of us want to try to bring about changes so that none of our children has to face the issues that my colleague or Anna Lo has talked about.

I make no judgement of prostitutes. I understand the reasons why they choose that role. The point I was making is that it is not a role they started in life saying they wanted. They are driven to be something that they did not choose to be because of life experience or poverty. That is why we have brought forward an amendment, which I did not hear the Chair of the Justice Committee talking about. He talked about Lord Morrow's amendment, but he did not talk about ours, which is that the Minister of Health develop a strategy, in consultation with other Departments, and where we will actively support women who want to exit prostitution. It is all very well —

Mr Agnew: I thank the Member for giving way. She describes herself as a feminist. I would describe myself as someone who is aspiring to feminism. I think that that is probably as close as I can put it. She makes reference to those who wish to exit prostitution. The Queen's University research, whatever people think of it, showed that something like 32% of those in prostitution in Northern Ireland who were surveyed have third-level education degrees. As a feminist and as a woman, does she support those who choose prostitution to make that choice for themselves?

Ms Ruane: I would prefer to see prostitution eradicated. I do not believe that any woman chooses prostitution, and I do not believe that prostitution is not harmful to women. I think that there are complex reasons why women go into prostitution. You know that I am a feminist, but I do not believe that prostitution is a life choice for a woman. Again, I stress, in case anyone did not hear me: I do not believe we should criminalise women. That is why I am asking for your support on our amendment.

Mr Givan: I appreciate the Member giving way. She has made the point that I did not mention their amendment. Let me make it clear: we will be supporting the amendment that has been tabled in relation to that aspect.

Ms Ruane: Is that amendment No 28?

Mr Givan: It is to do with the criminalisation aspect that you talked about.

Ms Ruane: I appreciate that clarification; I thank the Member for it. I want to broaden this a little bit. Iceland and Norway can introduce and implement their laws, and make the changes that are necessary, because they have an equal society. We have a way to go before we reach the equality that they have in their society. We have to aspire towards it, and we have to work towards it. We have to do things, like get rid of page 3. I find it offensive to see pictures of naked women splayed all over popular newspapers. We have to get rid of partially clothed women in advertisements to sell cars; we have to stop feeding

into a culture that turns a blind eye to misogyny, sexism, violence against women and children and glorification of the lad culture. We have loads of that here. I throw that out as a challenge.

I cringe every time I hear people in the House or on the radio — leaders of parties — talk about "manning up". Get rid of that language. It is outdated, and it should be gone. It should not be used; it is so insulting.

We need a new message going out, to boys and girls, of respect, equality, assertiveness and empowerment. Added to this, women are seen as less than, and men are seen as more important. It chips away at the self-esteem of women. As I said before, we do not have a particularly good culture in talking about sexuality and about protecting ourselves. Is it any wonder that we have such a high level of teenage pregnancy and significant levels of domestic and sexual violence? I am not saying this to make a political point, but it is those same negative and dangerous messages that are being sent to our LGBT community that they are less than. All these negative images need to stop.

Now, on to prostitution. I find that what happens to women who are engaged in prostitution deeply hurtful. Their bodies are being touched, grabbed and penetrated again and again, usually on a daily basis, having different men dictate what they want to do. Prostitution is about the sexual satisfaction of the sex buyer, not the prostituted person. One person with money buys access to the body of another person, who, generally, is in a very desperate situation. Prostitution has a devastating impact on the physical and mental health of those affected. It affects self-esteem and self-confidence, and it can result in infertility. Many women involved in Ireland's sex industry feel that they had no real choice and that poverty and life circumstances dictated "choices" that they made. Those in prostitution face beatings, rape, sexual assault and degrading treatment, and they live in a state of constant tension.

Contrarily to that, the sex buyer has a choice, and it should be noted that only one in 15 men — although it is too many — has purchased sex in Ireland. So, 14 out of 15 have not. Let us not forget that. In the North, we are told that it is 3%. This is not a myth about lonely, isolated men; 60% are married or in a relationship.

Reducing the size of the sex trade will help to combat organised prostitution. Organised criminality is linked to and completely pervades the sex trade in Ireland. The sale of people for sex is one of the three most lucrative international criminal enterprises along with drugs and arms. Prostitution is a high-gain, low-risk enterprise for those involved. That is, those who are not prostituted themselves.

Many third parties gain. Who gains? Career criminal pimps, landlords and prostitution advertisers. Demand from those who buy sex fuels the trade in women and children who are trafficked. It sustains an illegal prostitution industry worth hundreds of millions a year in Ireland. The simple, lucrative step of incriminating the purchase of sex would immediately cut demand to that huge, lucrative trade. Diminished demand for paid sex would support the PSNI to target persistent criminality, and we need a step change from the PSNI in relation to this.

Legislation can be used to change attitudes and, ultimately, behaviours. I know that we can have a debate about whether it has been successful in Sweden and how successful it has been, but what we do have now is a decade of an entire generation that has grown up in a society where it is considered unacceptable for bodies of women and girls to be bought by others for their sexual satisfaction. Seventy per cent to, possibly, 80% of Swedes support this on the basis that exploitation is exploitative and incompatible with equality. In the past 12 months, the Council of Europe, the European Parliament, MPs in France and, just two weeks ago, MPs in Canada have backed the targeting of demand to curb exploitation, abuse and trafficking.

7.15 pm

One of the European Parliament resolutions supported Iceland, Norway and Sweden, and it did so because it:

> *"Believes that looking upon prostitution as legal 'sex work' ... is not a solution to keeping vulnerable women and under-age females safe from violence and exploitation, but has the opposite effect and puts them in danger of a higher level of violence, while at the same time encouraging prostitution markets – and thus the number of women and under-age females suffering abuse – to grow;".*

Trafficking women and girls for the purposes of sexual exploitation is a modern, global form of slavery.

Ms P Bradley: I thank the Member for giving way. The Member and I often do not agree on things, but there are things that we do agree on, and one of those is the rights of women. Will the Member comment on the issue in clause 6 and what the Human Rights Commission has come out and said in its support for clause 6?

Ms Ruane: I read the submission from the Human Rights Commission, and I heard what the Chair of the Justice Committee said. The Human Rights Commission had queries about some aspects, but it was supportive. Amnesty International is not, and I have huge respect for Amnesty International. It has its reasons, but I do not agree with its reasons, on this occasion. I thank the Member for her intervention.

I will move on to looking at Dublin, and I know that reference was made to what has happened there. We can look to our colleagues there. We now have two reports from the Oireachtas Justice Committee. It has unanimously backed sex buyer laws decisions taken after 800 written submissions and six months of hearings. The Justice Minister, Frances Fitzgerald, has also spoken of using laws to target demand and ruin the business model for pimps and traffickers. There is now an expectation that the South will publish legislation before Christmas and that laws will follow.

Sex buyer laws are not new. As we have heard, they have been implemented successfully in a number of countries, including Sweden. The level of men buying sex has reduced from 13·6% in 1996 to 7·9% in 2008, according to research commissioned by the Swedish Government. Three years ago, the Stockholm police estimated that between 200 and 400 women and girls have been annually trafficked into Sweden for prostitution, while, in Finland, where there is no law targeting demand, the number is 15,000 to 17,000.

The Swedish experience stands in marked contrast to the situation in the Netherlands, where laws that attempted

to regularise prostitution have brought about more than a decade of failure. Organised crime and illegal brothels continue to flourish right alongside those that are licensed. A recent paper commissioned by the International Labour Organization indicates that Germany, which introduced a more liberal prostitution law in 2002, is estimated to have 150,000 people working as prostitutes. That is 60 times that of Sweden, even though the population is only 10 times bigger.

The Oireachtas Justice Committee agreed, when it included prostitution as sexual violence, and said that no action should be taken to criminalise or stigmatise those who sell sex.

I would like to mention briefly the Turn Off the Red Light campaign, and I know that other Members have mentioned it. The campaign seeks to end prostitution and human trafficking. It sees the trafficking of women and girls for the purposes of sexual exploitation as a modern form of slavery. Dozens of community groups, charities, trade unions, religious and secular alike, support the campaign, and our party has signed up to it. Amongst those organisations are the National Child Protection Training Centre, the National Women's Council of Ireland, One in Four Ireland, Rape Crisis Network, Immigrant Council of Ireland, Ruhama, Irish Refugee Council, SIPTU, the trade union movement, the Union of Students of Ireland and Women's Aid.

I want to single out Women's Aid. I have tremendous respect for it. What makes Women's Aid and groups like it different is that they are working day and daily with women and children who suffer violence, regardless of who they are. They are not involved at the academic level, and I respect academic research and reports, but I also accept that I have a right to disagree with them. They deal with it day in and day out.

They support and empower the women and children. They provide a safe place for the women and children when they are crying out for support. They are not getting enough support, and the women in the House from all parties will know that they need more support and more funding. I want to put it on record that, when I was Minister of Education, I put in place a programme to support Women's Aid so that it could train teachers in identifying children at risk at the earliest stage.

Sinn Féin has also tabled an amendment — amendment No 44 — calling on Minister Jim Wells to put in place support for women who want to exit prostitution and to work with other Departments to develop a strategy. We need a multi-agency approach; nobody can do this on their own. We will need to see real action on the part of Minister Wells rather than rhetoric, and resources need to be put alongside the Bill, if it is successful. I look forward to working with everyone in the House to ensure that that happens.

Mia de Faoite was mentioned, and I will quote her as I thought that she was particularly articulate. I will not quote some of the more distressing bits, because I do not think that I would be able to get through it. She said:

> *"Life on the street is complex. We led difficult and complex lives, and I would never be able to explain them in this short time. However, there are two issues that I would like to address today. The first is rape. Rape becomes part of the job, so much so that we do not really use the term 'rape'; we do not have permission to. We might allude to it, but then it is ignored and the subject is changed. Many people become desensitised to the pain of others because, if you acknowledge someone else's pain, you may just have to acknowledge your own."*

She also said:

> *"Prostitution and sex trafficking are intrinsically linked: you have one because of the other. For the last 18 months of my time on the Burlington Road, I stood alongside a trafficked woman. She became my closest friend, and I have never seen a human being so broken down. The conditions in which she lived were inhumane, and, although we had arrived at the same place through different means, we were connected because we were bought, used, exploited, humiliated and raped by the same offenders. One night I would be bought, and, a few nights later, the same man would buy her. On a couple of occasions, we were bought together. That connection can never be broken by anyone at any time in any country."*

Reading Ms de Faoite's evidence to the Committee was harrowing, and I pay tribute to her for speaking up on this important issue.

I have also listened to many people in the House talk about regulation and driving things underground. I have no doubt that, if we were living in a different century, we would be having the same debate here except that the term would be "slavery". Some people would have been saying, "You have to regulate and protect. Slaves are not from one country, one colour, one age or one language". I know that hindsight is a great thing, but would anyone in the House advocate that we should legislate and put slaves in a red light district so that we can protect and regulate them? I do not think so.

The debate that we are having today is taking place all over the world. We have an opportunity to show leadership and send out the message that this part of Ireland is not open for business for pimps and traffickers, that we will not criminalise prostitutes and that we will put in place mechanisms of support for women to exit prostitution. Supporting our amendments is the best way of sending a very clear message that the aim of the Bill is not to criminalise women involved in prostitution. In the aftermath of this debate and the Bill, I ask that we show understanding for different viewpoints and that we continue to engage, regardless of the outcome. I hope that the Bill goes through the House. We will play our role to ensure that it does.

Mr A Maginness: I do not intend to speak for too long. Many of the issues have been outlined by the Chair of the Committee in a succinct fashion in relation to the Committee's deliberations and the attitude that it adopted both in general terms and, in particular, on clause 6. Of course, the Minister, quite properly, presented his point of view in opposition to clause 6, a position that my SDLP colleagues and I disagree with. In fact, I have become a little impatient with this debate because we could have reached a unified position on the clause much earlier.

I am grateful to Ms Ruane for clarifying the position of her party, and I take that on board. However, the central issue is exploitation: the exploitation of a woman by a man.

That is it. It is as simple as that, and you do not have to go any further. It is exploitation by violence or economic superiority. There may be other reasons, too, but it is the exploitation by a man of a woman because he wants sex, he has the money and he is prepared to pay for it. In essence, that is what this is all about. If we ignore that, we are running away from the central issue of exploitation. It is a gross violation of any woman that this should happen. Some spurious arguments have been put forward, not, I believe, in the House but outside the House, on women choosing this as a working career. That is absolutely and utterly wrong, and it is important to nail that lie.

Mr Agnew: I thank the Member for giving way. I find it hard to understand why anyone, male or female — we have to acknowledge that there are male prostitutes — would choose that form of making money, but can he cite the evidence that contradicts the Minister's evidence that significant numbers do so? What evidence does he have that every circumstance involves coercion, poverty or lack of volition?

Mr A Maginness: I had the privilege to be a member of the Justice Committee. I heard the very clear evidence coming through, and I do not resile for one second from the position that I have expressed. I defy the Member to produce evidence to support the myth that there is such a thing as a happy hooker. It is a myth, and those who have exited prostitution will tell you that it is entirely erroneous — entirely wrong. We should not peddle myths in the House. We should be educating the public and the media, telling them that there is no such thing as an option and that women are forced into prostitution. That is the position, and we should act on that. We should do away with the notion that there is such a thing as a happy hooker who simply enjoys this so-called work, allows herself to be exploited and allows herself to become some sort of object of pleasure for a man with whom she has no loving relationship. Will the Member give way?

Mr A Maginness: Certainly, I will give way.

7.30 pm

Mr B McCrea: I have no doubt of the sincerity of the Member's position. However, does he think that the criminalisation of the purchase of sex by men will improve the situation considerably, or are there other things that we should take into consideration, such as education?

Mr A Maginness: I will come to that, but the short answer is that I do believe that the criminalisation of the purchaser will have a profound effect on prostitution. It has had a profound effect in other jurisdictions, particularly in the Nordic countries. The Nordic model — the Swedish model, as we call it — is something that we should attempt to emulate, and I do not think that there are any serious arguments against it. I said that the evidence was presented to the Committee. I will not repeat it all, but, if you had listened to Mia de Faoite or to Anna, who gave evidence to the Committee in private session, you would have been absolutely overwhelmed by their testimony, which was very impressive indeed.

Mr Agnew: I thank the Member for giving way. While I have no doubt that that evidence was compelling — we have heard some of it summarised today — the Member is well educated and knows that the testimony of one person does not represent the generality. We have to go from the general to the specific. That is why we need research, and the Minister has provided us with that. While many have questioned the validity of that research, I have yet to see counter-evidence to it.

Mr A Maginness: Huge amounts of research have been done on this, both nationally and internationally. The overwhelming conclusion that people have come to when asking whether women voluntarily enter into prostitution is that, no, they do not. They are exploited human beings. Ms Ruane made a very telling point about the parallel with slavery. This is a form of slavery. There is absolutely no doubt that it is a form of slavery. Nobody volunteers to do this, and to say otherwise is totally wrong and misleading.

Mr Givan: Will the Member give way?

Mr A Maginness: Yes, indeed.

Mr Givan: The Member says that it is totally misleading to give the contrary view that Mr Agnew and Mr McCrea seem to hold. Does the Member agree that that very benign view of prostitution is not borne out by the reality of the evidence that we heard? Can the Member cite for me any evidence that shows that prostitution is good for the woman? That is a salient point. Those who want to uphold the mythical right to choose in respect of the most vulnerable women, who are being exploited, present this as a right to choose, yet those women are in the depths of despair. That is not a choice. Where is the evidence that prostitution in any form is good for you?

Mr A Maginness: I agree. The Member expresses it very well. We did not come across such evidence, and I defy anybody in the House to produce it. The more evidence we heard, the more convinced we were that there was no such thing as a career choice. If you do not believe me, talk to Women's Aid. Some of the most powerful evidence came from Women's Aid. They are working with women in prostitution who are trying to exit prostitution. Do not take my word for it; talk to them. I have absolute confidence in their expertise in this field.

I am on the point about research. The Department has produced research from Queen's University. I will not go into the details of it, but the conclusion of Women's Aid on that research was that it was:

> *"deeply flawed and lacks a basic understanding of the links between prostitution, human trafficking and the spectrum of sexual exploitation that is taking place here in Northern Ireland."*

For that reason, Women's Aid withdrew its name and moral authority from the research that had been produced. That is good enough for me. They are the people who know what this is all about. That was no fancy academic essay or fancy idea, but a reaction by them, given their experience, to a flawed research report. I put my trust in their judgement in relation to that report.

I had better deal with the Minister's position. He also said that he doubts the practicality of the provision. There may well be difficulties with the provision and with enforcement, but we have to test it. It is an advance on what we have and we have to test it. For the first time ever —

Mr Wilson: Will the Member give way?

Mr A Maginness: Yes, indeed.

Mr Wilson: Would the Member agree that almost any law enforcement produces practical difficulties on occasions? Rural crime and the stealing from farms across the countryside in Northern Ireland creates huge difficulties for the police because of the shortage of cars and manpower to patrol areas. Just because we find it difficult to patrol those areas or catch those people, it does not mean that we should not have a law and allow robbers to steal from farms . Would he agree that if we use the argument the Minister has used, there are a whole lot of things that the police are asked to do at the moment that we would simply tell them to give up on as they cannot possibly do them with ease?

Mr A Maginness: Of course, I agree with what the Member has said.

For the first time ever, the man will have to pay in terms of criminality. That is the difference and that is an important message to send across this society. Across this island, across these islands and across the UK, this will be the first time that that will have happened. We are setting a precedent. I think that we are setting a good precedent and that we can build on it. This law may not be perfect, but it is a good first step, and that is the important thing about it.

An argument was put forward — I think it was by the Minister; I do not know if I am right — that prostitution would simply go underground. The view that was expressed to the Committee was that prostitution is already underground. If you do not trust that then let me quote from an interview with Anna, who gave evidence to our Committee, in today's 'News Letter'. She stated that the Bill:

> *"will not drive vulnerable women underground".*

She continued:

> *"They are already underground. Nobody was coming to help me."*

That is a good answer to that argument about driving prostitution underground.

In relation to one other aspect — the change in the onus — paragraph 128 of the Committee's report shows that the Northern Ireland Human Rights Commission advised the Committee that:

> *"in July 2013, the UN CEDAW Committee recommended to the UK Government that they revise their legislation by shifting the burden of proof from the prosecution to the purchaser of sexual services."*

That was another development internationally, and, indeed, international law is moving in that direction anyway. The Swedes, the Nordic countries, the lower House in the French Parliament, the Canadian Parliament and the European Parliament, through the Honeyball report, and there have been developments in other fora throughout the world. I think it is important that we bear those in mind. They have been mentioned already by Ms Ruane and by the Chair of the Committee.

Let me also say, in dealing with the Minister's argument, that the PSNI started off in a position of opposition to this but, fair credit to them, they moved their position, not as a result of political pressure but of clear arguments coming to them. They changed their minds, and people should give them credit for changing their minds from opposition to qualified support. Yes, they see difficulties in implementation and so forth, but it is right and proper for them to identify those difficulties. When this law was introduced in Sweden, the Swedish police said that they did not want it and were opposed to it, but now the Swedish police are advocates for this particular law. It is very important that we bear that in mind.

Finally, in relation to the change in law, let me say that law has an effect on society; law changes values in society. Somebody referred earlier to drink-driving. Most people now — the generality of people — are horrified by anybody drinking and driving. Ten or 20 years ago, people chanced their arm, and people did not see that as something antisocial. So the values have changed; and there is a normative effect in society when law changes. That sends out a very strong message, not simply to human traffickers but also to society at large, and young people in particular, that there has been an important value established by this law. I think that that —

Ms Ruane: Will the Member give way?

Mr A Maginness: Yes, Ms Ruane.

Ms Ruane: I absolutely appreciate the point you make about law. Another good example of that is the anti-smoking law. You would not go into a restaurant now and expect to see people smoking, whereas it was the norm before. There was not much intervention, although police forces, North and South, thought that it might be difficult. So I thank the Member for making that point.

Mr A Maginness: I thank Ms Ruane for that very effective intervention. Of course, when all those matters were being debated in relation to smoking, the police said that it was impossible for them to police or enforce that. However, if you go to the toughest areas of Belfast, you see people obeying the law in a right and proper fashion. There is a respect for the law, and people enjoy the change in atmosphere within establishments.

We are not in a position to support amendment No 29. We think it is late in the day. We do not think that the case has yet been proven in relation to it, and there could be abuse if the provision were passed. It could cause a public nuisance. However, I would say in relation to amendment No 29 that the current position in relation to soliciting is this: the PSNI, in its report to the Committee, said that over the past five years there had been no prosecutions. So it is not a matter of the police actively enforcing that particular provision, and I think that the current provision, whereby there is tolerance of such, should be preferred. We do not rule out a review of that position in the future, but at this moment we cannot support the amendment.

Amendment No 38 concerns the report on clause 6. I do not think it incompatible with clause 6(6), if I am correctly citing the Bill as it presently stands. Amendment No 38 has been brought by Sinn Féin. We support that particular amendment because it adds to clause 6. We are happy enough to support it. I will conclude there.

7.45 pm

Mr Deputy Speaker (Mr Dallat): The Minister has been in his place since Question Time and has indicated that he does not wish to be discourteous to the House by leaving the debate. I propose to suspend the sitting for a short break until 8.00 pm.

The sitting was suspended at 7.45 pm and resumed at 8.00 pm.

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

Mr Elliott: Clause 6 has caused much debate, probably much more than any other part of the Bill. Unfortunately, there were some quite aggressive debates in Committee and attempts, due to individual stances, at character assassination. I will not engage in any of that this evening.

I listened to the Minister speaking on the matter. I paraphrase what he said, but he suggested that the clause would not do what it is probably intended to do. That is one of the main bases of the Minister's arguments. I have sympathy with that position, and I believe that he is accurate in some ways. However, the problem is that there is nothing else here, and I think that Mr Maginness said that. There is nothing else in place to deal effectively with prostitution and the sale and purchase of sexual services.

A number of organisations and individuals, including the Presbyterian Church and the Methodist Church, highlighted potential problems. Indeed, the Police Service of Northern Ireland is still indicating that it has some issues with clause 6. However, in the absence of any legislation currently in statute or with the potential to be in statute at any time in the near future, this is all we have to improve the situation regarding the sale and purchase of sexual services.

I note that the Department of Justice last Friday published the research that was carried out by Queen's University. I will not try to discredit that research by any means; I do not think that that is my position. It came out only last Friday, and we have not had a reasonable opportunity to assess it. However, I am concerned that it came out just two days before this debate. If it had not been for Lord Morrow's Bill and clause 6, would we have had that research at all? Would the pressure have been there to progress other legislation that may come forward — I hope that it does — to deal with prostitution and the sale and purchase of sexual services? What we have is out of date and needs to be updated and upgraded. We do not have legislation at the moment, so clause 6 is all there is. We want a reduction in the sale of sexual services and prostitution, and what we have at the moment is the only means to provide support for that. If it speeds up further legislation, it will have been worth it. If it moves the Department to do further research and bring forward legislation in the future, clause 6 will have served that purpose as well.

Sinn Féin has tabled amendment No 29. Ms Ruane did not fully address many of the issues on which I have queries, but maybe they will be addressed by other Members. I do not know whether that amendment will be helpful in reducing prostitution. If it were helpful, I would find a way to support it, but I am not sure. It may encourage prostitution. If the offence of loitering and soliciting were removed, would that not encourage more prostitution? I am open to persuasion. The amendment has just come forward, but, at present, I have not heard enough to persuade me of its merits. I will listen to further debate.

The second amendment that I want to deal with is amendment No 37 from Lord Morrow, which would replace the part that puts responsibility on the Department to raise awareness of the offence. That responsibility is made somewhat more specific, in that Lord Morrow's amendment states that there must be an advertising campaign to raise awareness. I am just trying to get a basis for that. I am not saying that I oppose it; I just want to hear more information. I am sure that Lord Morrow will address the issue. I want more information on why the responsibility is not more broadly based, as was, I think, the original intent of the Bill, and why it is narrowed down to just an advertising campaign. Maybe, at Further Consideration Stage, we can look at how there could be more involvement and work with those in the sex trade in an attempt to persuade them and better educate them. That would be a much more broadly based situation than just an advertising campaign. Lord Morrow has just tabled the amendment, and I am happy to listen to what he has to say in the debate.

What I am trying to say and what I hope that I am saying is that I envisage difficulties with clause 6, but, as somebody asked earlier, what legislation comes without difficulties? I hope that it will pressurise the Department into making further legislation. It is all that we have at the moment, so we should take what we are getting and hope that it will lead to further legislation.

Mr Dickson: Clause 6 is, undoubtedly, the most controversial part of the Bill. It has generated most attention and, indeed, the longest and most rigorous part of the debate today. It is important that we debate clause 6, but it should not detract from what, I hope that Lord Morrow will agree, is the key part of his Bill, which is the human trafficking element — people brought into this country for domestic servitude or forced labour and other forms of human trafficking. I trust that the debate on clause 6 will not detract from what, I hope, he would describe as the key point of his Bill, which is human trafficking and the purposes for which it happens.

One clause is insufficient to deal with a subject such as the criminalisation of the purchase of sexual services. It is for that and other reasons, which I will explain, that I do not believe that clause 6 should stand part. Indeed, it may divert important attention and resources from the key import of the Bill, namely human trafficking. However, let me, for the avoidance of doubt, say that I believe that this should be the subject of a separate Bill — I pick up the point that Mr Elliott made — that can deal in detail with the complexities of the subject.

My opposition is based on evidence from looking at what happened in Sweden, where a similar model has been in place for 15 years. The reality is that criminalising the purchase of sex has not resulted in any demonstrable reduction in prostitution or trafficking in Sweden. Some reports suggest that the level of street prostitution has gone down, although that is disputed by those who have rigorously scrutinised the numbers. There is also no certainty that it has decreased permanently. Furthermore, the vast majority of prostitution is now off-street and online, but, some 15 years on in the Swedish experience, that is not surprising. As the research by Queen's University has now shown, it is also the case here that those arguing that the law has been successful seem to have equated the reduction in street prostitution with an overall reduction, which has not been proved. Indeed, in 2008, the Swedish National Board of Health and Welfare said:

> *"It is also difficult to discern any clear trend of development: has the extent of prostitution increased*

or decreased? We cannot give any unambiguous answer to that question."

The likely outcome of clause 6 is that it may drive the industry further underground and further marginalise sex workers, moving them to the so-called darknet, paramilitaries and drug dealers but no less accessible. They will be perceived de facto to be working in a criminal environment, which will undoubtedly increase stigma and substantially reduce the tolerance of them by society. The clause may act under the guise of protecting sex workers, but, for some, it will fuel an ideological position against prostitution and those who work as prostitutes.

We see that, in Sweden, rather than offering support and protection, for example, foreign sex workers are criminalised and deported. It will be more difficult for sex workers to avail themselves of important essential services to protect themselves or to leave prostitution. There is evidence in Sweden of sex workers moving off the streets and into underground work, following the criminalisation of purchase, as well as urgent and panicked arrangements leaving prostitutes with little time to assess clients for risk, making it more dangerous for the women involved. Similarly, there is more reluctance on the part of those who buy sex online to give any identifying information that may lead to their prosecution, again preventing the proper vetting of clients and leaving sex workers more vulnerable to abuse. There is evidence from two Swedish researchers who said that a sex worker with whom they had worked through fieldwork had now lost count of the number of times that she had been raped by men who had not provided appropriate personal information and were now untraceable. It is important to note that the same sex worker said that she had not been raped before the purchase of sex was criminalised in Sweden in 1999.

Crucially for the Bill's primary objective, there is evidence that the criminalisation of purchase in Sweden has discouraged clients from reporting incidents of trafficking and abuse. Those involved in fieldwork in Sweden have been able to directly establish this by talking to the purchasers of sex. This principle is why I believe that clause 6 has the potential to be ineffective in reducing trafficking and to create a more dangerous situation for those who are trafficked for sexual exploitation.

Other Members across the House know that to be true. From Committee discussions and plenary debates, we were, at least, strongly led to believe that members of Sinn Féin had reservations about clause 6. It is remarkable and extremely disappointing how suddenly that questioning has simply collapsed, with minds made up before the initial research from Queen's University was published. When Rosie McCorley of Sinn Féin told the Assembly on 23 September 2013 that her party needed detailed information from research on the impact on women involved in prostitution before it could make a decision on clause 6, she said that she looked forward to seeing the Department's research. Yet, the amendments from Mr McCartney, Mr Lynch and Mr Hazzard were clearly formulated and submitted before the Minister circulated the initial findings of the Queen's University research at the end of last week.

That research tells us, as we have heard from others in the House, that only 2% of sex workers think that the purchase of sex should be made illegal; 61% of Northern Ireland-based sex workers surveyed thought that it would make them less safe; 85% believe that it will not reduce sex trafficking; and only 8% of clients said that it would make them stop purchasing sex. The overwhelming weight of evidence is against clause 6 in its current form. It is opposed by the vast majority of sex workers, whom the Bill seeks to protect. Yet, the Assembly is on the verge of passing it into law. That, I believe, is an indictment of this institution. Strength of feeling is trumping the evidence on how we best protect some of the most vulnerable people in society. This is clearly a case of heart over head, ideology over practicality and, for Sinn Féin, control from party leadership in the Republic of Ireland.

It shows how little progress has been made in involving sex workers and properly considering their views on policies relating to them. It is, quite frankly, astounding that the only piece of independent research telling us what the sex industry looks like in Northern Ireland has been, by and large, rubbished and ignored by those who wish to support clause 6. I suspect that that is because it is telling them what they do not want to know or hear.

8.15 pm

I remind Members of the written evidence given to the Committee by members of the national working group on prostitution and exploitation and by Tamara Barnett, senior researcher for policing and crime in the Greater London Authority. She told us:

"Those working with sex workers state that criminalisation of either the client or sex worker can result in dangerous and sometimes fatal consequences for sex workers. This is particularly the case for on-street sex workers, since criminalisation often leads to displacement, forcing sex workers to work in less well lit, more dangerous and less well known areas."

Members should think very carefully, and consider the warnings, about the potential for fatal results from criminalisation. If, in the next three years, it can be shown that even one sex worker has been beaten, raped or murdered as a result of the legislative change made by the Assembly, those consequences will forever haunt this institution.

It is clear that our approach to prostitution should not be dealt with in one clause of a Bill on human trafficking. It is a much wider, more complicated issue that urgently needs to be considered separately. I commend groups such as Amnesty International, which, in the face of public opinion, has highlighted the deep flaws in clause 6. It is extremely important that those points have been made. We have in front of us a clause that should, in my view, not stand part of the Bill. I urge Members to follow the evidence and oppose it, and, in doing so, issue a call for separate legislation to deal with this complex matter.

Ms P Bradley: Like others in the House, I commend Lord Morrow for bringing the Bill forward. I know that he has applied great commitment and, I say on a personal level, has sat with me, on many occasions, to explain his rationale and alleviate any concerns I may have had, especially around the rights and empowerment of women. I know that he has done that with many people; when asked to sit down and explain, he has been more than generous with his time and has offered explanations to anyone who has asked for them.

In my comments on clause 6, I will first focus specifically on the letter that we received from the Minister of Justice on Thursday informing us of the research that was published on Friday. Then, I will focus on the research itself.

The letter from the Minister suggests that one of the main problems with clause 6 is the opposition of the police; the Minister claims they say that the offence is unenforceable. However, that is flatly contradicted by the evidence given to the Justice Committee by the police. In February this year, the now Assistant Chief Constable, Drew Harris, was asked whether the PSNI was against the legislation. He said, not once but three times, that the PSNI was not opposed. Moreover, when asked about the legislation in September last year and whether the police would enforce it, the then Chief Constable, Matt Baggott, far from suggesting that the offence was unenforceable — and there was an ideal opportunity to say then that it was unenforceable — said, "Absolutely. That is our job."

I now turn to the research itself. I am glad that it has been brought up. Much mention was made of it earlier in the debate, and I am glad to be able to speak on it because I feel that it was flawed. When the Minister commissioned the research in September 2013, just before the Second Stage of the Bill and 13 months after Lord Morrow first consulted on his Bill, he would have been aware that it would be at least a year before the research would come out. The argument then would have been that Members should reject clause 6 until we had the research or, as has now proven the case due to the date of Consideration Stage, that clause 6 would have to be rejected until the findings of the report could be considered.

Amanda Patterson, a Department of Justice official, was clear in the evidence that she provided to the Justice Committee back in March. She was asked by a Member for Foyle from the party opposite why the Department could not seek to work with Lord Morrow to ensure that the research was published before Consideration Stage. Her response was that clause 6 should be rejected even if Lord Morrow delayed, because:

> *"There would be too much coming out of the research to make a decision in a short time, because we would have to consider its findings. There may be recommendations that involve other people and having to consult other people. I do not think that it would work."*

If another Department wants a great example of the textbook way to try to topple a proposal, the way that the Department of Justice has proceeded in considering clause 6 provides one.

If anyone has any doubts about what I have said about the Department's motivation, these must be blown away when we look at the researchers that they appointed. I know that Mr Wilson has also spoken about this. It is well known that academia is hugely divided on the question of whether criminalising demand is a good idea, not so much on the basis of the interpretation of the data but rather on the basis of the answers of scholars, like anyone else, in response to the underlying question of whether there any circumstances in which you regard selling sex as an acceptable form of employment. People have very strong views on this, and academics who answer yes to that question are, not surprisingly, completely opposed to criminalising paying for sex.

In this context, if one is to use public monies to conduct a review, it is imperative to assemble a balanced research team. Far from doing that, the Department assembled a group including published opponents of criminalising paying for sex — led by some who had already gone on the record in their opposition to clause 6 — that, not surprisingly, did not contain a single scholar who has been published in favour. The academics then proceeded to select an advisory group that was something of a who's who of critics of the approach of criminalising the purchase of sexual services. It even included one academic who is chair of the Sex Workers Alliance Ireland. Consequently, it should come as no great shock to anyone that the research was so critical of the criminalisation approach.

Rather than acting like a Government Department providing a proper review —

Mr Agnew: Will the Member give way?

Ms P Bradley: No, I will not. I am sure that you will have time to speak later.

The Department has acted like a think tank with a very clear agenda. However, I do have sympathy for these academics in some regards. First, the document that was produced, although deeply flawed, is actually a lot more nuanced than the Department of Justice's summary of findings. The Department of Justice did not include in its summary of the research any of the caveats that the researchers included in the text of the document, some of which I will come to in a few moments. The Department was also selective in the quotations from the report that they chose to highlight. This is not a surprise considering the political goal that they had for the research, which was to kick clause 6 to the kerb.

Secondly, I think that the researchers were probably quite rushed in preparing the document and conducting the fieldwork involved. The Department of Justice timetable involved here was a tight one, due to political considerations that it had in commissioning the research. This may have led to some of the methodology flaws in the research document.

I would now like to draw attention to some of the flaws that have been flagged up to me and that I have noticed in the research document. First, the use of an online survey as a basis for many of the conclusions drawn is of significant concern. I am informed by academics who have contacted me about this piece of research that online surveys are typically very selective and not very reliable in dealing with personal and emotional issues, of which this is certainly one. As the authors admit, this strategy was used not because it was the most appropriate strategy but because it was the most convenient one. This may well have been the case, because the researchers simply did not have the time to engage with more individuals face to face. The authors admit that face-to-face interviews would produce more reliable and authentic results, but they undertook an online survey, again, because it was most convenient.

In paragraph 2.6.12 of the report, the authors make a revealing statement with regard to the nature of the online survey that they utilised. They state that:

> *"It is also possible that sex workers with a relatively high degree of choice and independence about their working conditions are over-represented, and women, men and transgender persons, who are, to*

varying degrees, controlled by someone else, are underrepresented."

To my mind, that is an admission that those who are in prostitution who have been trafficked and who are controlled will have been unable to take part in the online survey, for obvious reasons. It is highly unlikely that they will have private internet access, and it is hard to believe that they would be allowed to take part in such research by their pimps or controllers. Despite that highly significant flaw, the researchers continue to assert that the online survey is reliable, and they go on to make a number of bold claims about the status of prostitution in Northern Ireland on the back of it, which the Department of Justice has repeated.

It is acknowledged that the researchers conducted 19 face-to-face surveys, but that is a very small sample from which to draw any meaningful conclusions. By way of comparison, a recent study conducted by Professor Roger Matthews and a number of academic researchers for a study into exiting from prostitution conducted face-to-face interviews with 114 women. They are more cautious about their findings than the academics involved in producing this research were.

Furthermore, the research openly acknowledges that fewer than half of the respondents, 46%, said that they sold sex in Northern Ireland. That means that the majority of respondents sold sex outside Northern Ireland. That is a major consideration, because, when the Minister proposed research, the point was made that it was not necessary since there was already an abundance of research. To that, the Minister responded that he wanted specific research on Northern Ireland. What he has done, though, is provide research that tells us far more about the rest of the British Isles than it does about Northern Ireland.

Sixty thousand pounds of the budget was spent on this research, and it turns out that the majority of the data does not even relate to Northern Ireland. The fact that the majority of the respondents do not sell sex in Northern Ireland has enormous implications for the findings, since it is virtually impossible to know whether responses are by those selling sex in Northern Ireland. Therefore, many of the claims made in the report cannot be relied on since over half of the sample live elsewhere.

Finally, as the author noted, after putting a case for the use of an opportunistic sampling frame, as is stated on page 31 of the report, one of the disadvantages of sampling frames is that some people will be more inclined to respond to the survey than others, and it is difficult to know which sub-population is over-represented. Estimates of the population size of sex workers and the clients on the basis of such data alone are, therefore, unreliable.

That knowledge of the serious limitations of the data does not prevent the authors going on to make a number of unjustified and unreliable claims. The implications of the selected and distorted nature of a sample and the lumping together of different types of sex workers, most of whom do not operate in Northern Ireland, mean that the principal aims of this research were not met. To my mind, considering the manifest flaws in this research, it seems apparent that the House should pay little heed.

Clause 6 outlines an approach that has proven effective in other jurisdictions and which will send a strong signal that paying for sex is not conduct that we will tolerate in Northern Ireland, with all that it means for trafficking and wider exploitation.

I finish with this, Mr Deputy Speaker. Before I became an MLA, I had a career as a police officer, and I worked in social services. I dealt with many horrific stories of vulnerable people. One sticks out clearly in my mind. We talk about child exploitation and trafficking, but let us not be so naive: this is happening in Northern Ireland on a daily basis.

I know of one child, whom I found out about and got to speak with. She was a young girl of 11. At 11 years old, she was selling oral sex to men — grown men — for as little as a few cigarettes. This is happening on our streets. We need to stop that. We need to prosecute those men for what they are doing to our children.

8.30 pm

Mr Principal Deputy Speaker: There is an awful lot of background noise, which does not help us to follow the debate.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Do not tolerate it while I am on my feet.

Caitríona Ruane laid out in a longer way than I will our support for clause 6, and she gave a comprehensive explanation of why we are supporting clause 6. I welcome the fact that there is an intention from the Democratic Unionist Party to support our amendment on soliciting and loitering. That is where I want to turn my attention first. Alban Maginness and Tom Elliott said that the lateness with which we tabled the amendment did not allow them to have a proper go at this. I appreciate that, and, perhaps, we should have done it a bit earlier, but timescales and deadlines always pose challenges.

Throughout our deliberations, particularly at Committee Stage, we had the view that, if we were doing this as an attempt to say on behalf of the Assembly and, indeed, the people whom we represent that we had a very clear issue with prostitution, we should be taking steps to decriminalise the actual prostitution. We would be sending a clear message to prostitutes that we do not consider them as part of the criminalisation that will take place as a part of this legislation. Alban Maginness, in a way, brought this down into a very short sentence when he said that at the core of this was the issue of exploitation. Indeed, Tom Elliott, if I picked him up correctly, agreed with that sentiment. Alban went on to say that it was a form of slavery. That is the context and the approach that we took on amendment No 29. If people were involved in slavery, you would not want to have in place a law that would criminalise someone for being a slave. That is the approach that we have taken to repealing the issues around soliciting and loitering. It is to send a very clear message to the people who are being exploited that in no way will we permit or allow a process of criminalisation when we are trying to tackle this complex issue. That is what was behind the framing of that amendment. I am not sure what way the vote will go tonight, but I appreciate that you may take more time and that maybe this is something that we might have to revisit at Further Consideration Stage. We will not count the votes in advance.

Alban Maginness has made the point tonight and consistently throughout our deliberations and scrutiny

about the normative effect that changing the law can have. We would send a clear signal to the people who, we accept, are vulnerable and who, we accept, are being exploited that changing or repealing the law in this way would allow them to feel that they are not part of the process and are not to blame and therefore should not be charged or criminalised as a result of some of their vulnerabilities and some of their exploitation. That is the context in which we tabled that amendment.

Amendment No 38 relates to reporting. We feel that it is a good way, and I think that everybody accepts that it is the first go that this Assembly or, indeed, any legislature on these islands has had at bringing about this type of legislation. It is not a bad precedent to set that, after a period, we will reflect on its effect. We all accept that there is no point in having legislation in place and then finding out that it has no real effect. The reporting mechanism ensures that, in two or three years, as we have framed it, people will be able to look back and say, "Here is the effect that we had". If there are gaps and issues around arrests or convictions or if people who leave prostitution are not given the services and resources that are framed in this legislation and that it intends to give, that needs to be addressed. That is a good appraisal of it in three years' time.

One thing that struck me is that there is no doubt that the PSNI — Caitríona Ruane and others have touched on this — had a particular position and then changed it. In fairness to them, in the middle of it, they said that the Nordic model was based around surveillance and, in particular, phone tapping. In this legislation, phone tapping would not be permitted under our RIPA laws. Therefore, that is the type of thing that we have to monitor in three years' time. That is why we feel that the amendment around the progress report is necessary.

There has been much mention tonight of Pádraig Mac Lochlainn. Indeed, the Chair spoke about him in very glowing terms. Jim Wells is not here, but, if you go back through the Hansard reports of many of our Committee meetings, you will see that the name Pádraig Mac Lochlainn featured in nearly every evidence session. In fact, I think that he could be the first Sinn Féin member to address a DUP conference. He will be waiting for that invite in the future.

Stewart Dickson was there — he is not in his place now — when we went to Dublin and met the Joint Oireachtas Committee. The Oireachtas report had concluded. It was an 800-page report, and there were hundreds of witnesses. The question was asked about the two processes that were in place. One had taken place in Dublin, and the other was unfolding up here. He said very stridently that all of us should come at this with an open mind. He found himself on a journey, and the journey took him from having a particular position to another position. That is the way that we approached the issue.

Stewart Dickson mentioned the research, and Tom Elliott also touched on it. Obviously, the Department and the researchers were under a fair degree of pressure, but the Bill was tabled last year. It went to Committee Stage around November, so it was reasonable enough for us to expect that the research would have been at a more advanced stage than it was. If Stewart Dickson was of the view that we could be convinced by the research to take a different position from the one that we have now taken on clause 6, the emphasis or onus was on the Department to come up with that research a bit quicker. I suppose that the easy way out of this is to say that Dublin made up its mind and we followed for whatever reason, but we have a very clear approach to the matter. We listened to the evidence, and there is absolutely no doubt that many of the people who came in front of the Committee and gave evidence — I think that Alban Maginness mentioned Women's Aid and the Irish Congress of Trade Unions — made very powerful arguments on this.

Again, there might be a debate about whether there are some people who do this and believe that they are not being exploited. That might be the case, but the strength of the evidence and the approach taken by most people was that the overwhelming majority of people who find themselves in the clutches of prostitution do not do it willingly. They believe that they were forced into it, perhaps by circumstances beyond their control. There may not be physical enforcement, but they found themselves enforced. In that light and with that in mind, we support clause 6.

Mrs Cameron: I support the Bill tabled by my colleague Lord Morrow and welcome the opportunity to take part in the debate this evening. I will also take the opportunity to thank Lord Morrow for the valuable work that he has done to bring this important Bill before the House today.

Since the days of Thomas McCabe and Mary Ann McCracken, Northern Ireland has had a rich abolitionist heritage in respect of slavery. Yet, over 200 years since the Abolition of the Slave Trade Act and 181 years since slavery was made illegal in the United Kingdom, thousands of vulnerable and disadvantaged people are still trapped as slaves in our so-called modern, progressive society. Those people are the evidence of a modern-day form of slavery that is hidden in plain sight and walks amongst us daily.

Human trafficking has many manifestations, including forced labour, domestic enslavement and criminal exploitation, with the sexual exploitation of women and children the most common type. All of those serve only to suppress and humiliate people and reduce them to little more than tradable commodities. As a legislature, we must ensure the passage of the Bill in order to protect the vulnerable and voiceless in our society and provide them with viable alternatives and support to return them to life rather than simply an existence.

Human trafficking is often a detached and displaced crime with the coordinators, in many cases, based in different countries as part of shadowy, faceless organisations. As we see a growing number of ethnic minorities being trafficked, it is clear that those organisations prey on the most vulnerable, particularly women who are already at risk, be it due to ethnic cleansing or caste systems or simply by virtue of their gender. The victims are selected, groomed and traded like possessions, perhaps most poignantly on the promise of a better life that, we all know, is rarely, if ever, the case. As they are often people who, to all intents and purposes, do not exist in their own country, we must do all that we can to help them when they arrive in our country through no choice of their own. As the UK and Republic of Ireland Governments have moved to enact similar legislation, it is vital that Northern Ireland puts in place similar measures to ensure that we do not become a conduit for human trafficking across Europe or allow our country to be used by organisations as a business address for their dealings in other jurisdictions.

In 1999, Sweden was the first country to pass legislation to prohibit the purchase of sexual services. Whilst the argument against clause 6 focuses on the assumption that criminalising the purchaser of sexual services will drive prostitution underground, a 2010 study demonstrated that street prostitution had halved. It also proved that there was no evidence of an increase in off-street prostitution. In addition, significant evidence was provided that that law had deterred human trafficking. Further to that, in April 2014, the Council of Europe recognised that sex buyer laws were the most effective tool for preventing and combating trafficking in human beings. The recommendations included counselling centres, providing prostitutes with legal and health assistance and exit programmes for those who wish to give up prostitution. It is clear that the so-called Nordic model offers many valuable lessons by way of ensuring that there is proper support for those who have been trafficked into prostitution and demonstrates that it is possible to ensure that they are properly protected from exploitation and humiliation. We must focus our efforts on providing support services for those exiting prostitution to make their transaction as easy as possible, whether that be by providing counselling, drug rehabilitation, educational programmes or health advice.

I tend not to use figures from opinion polls in speeches, as, in most cases, they are open to interpretation over some aspect of how they were gathered. I do not intend to change my view on that for the purposes of today's debate. I am, however, a passionate supporter of Women's Aid, and I am on the record numerous times speaking up for the organisation and about the valuable work it does. When that organisation came out so strongly against the research findings that it has withdrawn its support for the departmental panel looking into this aspect of the Bill, I was naturally inclined to pay great heed to its views.

We are increasingly surrounded by headlines of historical sexual abuse that has been covered up by many prominent organisations and institutions, and I find it incredible that those calling for the further investigation of past abuses cannot fully support the attempts to defeat the ongoing abuse that is being inflicted on the most vulnerable people in our midst. Sadly, not all the individuals trapped in abuse and slavery because of trafficking can find the voice or the courage of those brave enough to come forward to highlight and challenge the appalling horror that has been inflicted on them for the sexual gratification of individuals.

There are those in the House who may argue that individuals who sell or pay for sex are entitled to do so if that is what they individually choose to do, but I am much more concerned for those who have no choice and no voice. That is why I support the Bill.

8.45 pm

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas as éisteacht a thabhairt domh. I appreciate the opportunity to talk about the Bill.

Some concerns have been expressed about the unintended consequences of clause 6 on those involved in prostitution. If I picked the Minister up correctly, he said that it could create difficulties in law enforcement and might not act to protect women who provide sexual services. I think that this is very important because, until I heard evidence at the Justice Committee, I could have been influenced one way or the other. On one side of the debate was the argument that, if you go ahead with this, you drive prostitution underground; on the other side was the argument that quite the opposite was true.

Women's Aid came before the Committee and other Members referred to Women's Aid. They are the people who have to help women to pick up the pieces of their lives when they have been abused, brutalised and, in this instance, sexually assaulted, manipulated, trafficked or whatever it may be. It is very important that I read into the record what Women's Aid said:

> *"Women's Aid supports the provisions within clause 6 of the Bill, which criminalises those who purchase sexual services. Given that the majority of human trafficking in Northern Ireland is for the purposes of sexual exploitation, we believe it is crucial to tackle the demand that fuels this heinous crime and send a strong message that anyone buying sexual services here or worldwide is supporting sexual slavery and the degradation of human rights. We are joined in our belief that criminalising the buying of sex is the way forward in tackling human trafficking by the End Violence Against Women coalition (EVAW); European Women's Lobby (EWL); Equality Now; Turn Off the Red Light Campaign in the Republic of Ireland, whose members include the Immigrant Council of Ireland, Ruhama, Barnardos, Rape Crisis Network Ireland, ICTU, the Labour Party, SIPTU, Soroptimist International Ireland, and a host of other NGOs, trade unions and charities.*
>
> *Clause 6 of the Bill would implement a similar response to prostitution and human trafficking as the model used in Sweden, which was introduced there in 1999 ... According to a report by Swedish police in 2010, the law criminalising buyers of sexual services has successfully deterred many criminal networks from considering Sweden as an option for trafficking or pimp-led organised prostitution. The report also states that there has been a significant decrease in on-street prostitution, that the numbers of sexual services sold via Internet/off-street means are still much smaller than neighbouring countries Denmark and Norway, and that the proportion of prostituted persons from other countries had not exploded in the way it had elsewhere.*
>
> *On the other hand, in countries where prostitution has been legalised, there has been no improvement in the situation of those in prostitution or decrease in human trafficking.*
>
> *In the Netherlands, a 2007 report for the Ministry of Justice concluded, 'There has been no significant improvement of the situation of persons in prostitution'. This has been corroborated by other studies and criminal cases, in which exploitation, trafficking and coercion have been found to exist within legal, licensed brothels. 'The prostitutes' emotional well-being is now lower than in 2001 on all measured aspects. The use of sedatives has increased.'*
>
> *Options for leaving the industry were in high demand, while only 6% of municipalities offer assistance.*
>
> *Several other countries have followed Sweden's lead in criminalising the purchase of sex."*

As we speak here tonight, I have heard no valid reason why we should not support clause 6. Other Members have deliberated on it, and the Minister has reservations. Frankly, I do not understand those reservations because I, too, heard the evidence from the police — from Drew Harris — who said that they could support clause 6. Frankly, I do not understand the position that the Minister has put himself in or found himself in.

Finally, and very briefly —

Mr B McCrea: Will the Member give way?

Mr McGlone: Yes, OK.

Mr B McCrea: You mentioned Drew Harris. The Official Report shows that he said:

> *"The criminalisation of the purchasing of sexual services may add a further impediment, and it can reasonably be anticipated that it may add a further impediment to individuals who are prosecuted coming forward to police to make complaints".*

That is why the Minister has a problem, because Drew Harris said that criminalisation has implications that are not fully understood but which can be anticipated to be detrimental.

Mr McGlone: I thank the Member for that, but had he read on a wee bit further, he would have found that Mr Harris clarified his position and that of the PSNI in regard to this matter. He highlighted that later on when the Chair of the Committee challenged it and got further clarification from the police on their position.

Mr B McCrea: What is your response to my question?

Mr McGlone: Sorry, if I could speak.

Mr Givan: Will the Member give way?

Mr McGlone: Yes.

Mr Givan: The Member for Mid Ulster is exactly right. It has been stated time and time again that the PSNI moved away from its original written submission, but the evidence session was unequivocal. They support clause 6 with some qualifications, but they think that it is and will be an effective tool for serious organised crime. That is where they anticipate using it to best effect.

To put it on the record, I spoke with the Chief Constable about this issue over the weekend. I contacted his office and he has assured me, in writing, from the Deputy Chief Constable on his behalf, that the PSNI supports clause 6. I am happy to put that correspondence in the Library to verify that for Members' benefit.

Mr McGlone: That would be very welcome. I thank the Chair for that further clarity. Hopefully, that would put Mr McCrea's reservations on clause 6 to bed.

Finally, and briefly, my colleague Alban Maginness referred to the lateness of amendment No 29's introduction. Frankly, I do not understand it. It proposes to repeal article 59:

> *"Loitering or soliciting for purposes of prostitution".*

I possibly could be convinced, although, at this stage, I do not understand why or how you would remove that tool from the range of services and enabling legislation that police have to address some problems that have arisen previously on the streets in this city, in Belfast. I am not entirely sure of the rationale behind amendment No 29, although I am sure that some Sinn Féin Members will clarify their thinking and rationale.

That is my contribution in support of clause 6; I look forward to the rest of the debate.

Mrs Hale: I wish to speak against the Minister of Justice's amendment seeking to remove clause 6.

One of the major drivers for human trafficking in this country is for the purposes of sexual exploitation. The national referral mechanism (NRM) figures, which I acknowledge are flawed but which provide the only official figures that we have, show that a majority of those trafficked into Northern Ireland were trafficked for the purposes of sexual exploitation. We must ask why these individuals are being trafficked into Northern Ireland to work in prostitution. The answer is simple: people in Northern Ireland — mostly men — want to buy them, and they can buy them.

The grim reality is that none of those who pay to use the bodies of trafficked people has faced any consequences whatsoever for what they have done. Not a single person has been charged or convicted of the offence of paying for sex with a person who has been coerced, as outlined in article 64A of the Sexual Offences (Northern Ireland) Order 2008. It is most certainly not the case that no one has paid for sex with a trafficked person in Northern Ireland since 2009. I do not think that anyone in the Chamber would be so naive as to believe that. The truth of the matter is that the offence introduced in 2009 has been an abject failure. Clearly, the current offence is not an offence worth having.

The reason why it has failed is twofold. First, our criminal justice system has been unable to successfully prosecute on the offence within the six-month time bar. To be fair, Minister Ford has suggested an amendment to remove that time bar. However, it should be added that he has done so only in response to this Bill.

Mr Ford: Will the Member give way?

Mrs Hale: I am happy to.

Mr Ford: Will the Member accept that I had intended to legislate on that issue, but that this Bill provided the means by which to do so?

Mrs Hale: I thank the Minister for his intervention. I was going to say that, but he has now saved me the bother.

Secondly, the offence has failed due to its caveat nature and complexities in prosecution. While it is true that the offence is a strict liability offence, meaning that whether the buyer knows or does not know whether the seller has been trafficked or exploited is irrelevant, it is still necessary to prove that the seller has been coerced into providing the service. It is not always clear-cut that an individual has been coerced, and it can be difficult to substantiate. That is underlined by the fact that it is not the experience of Northern Ireland alone.

Other places have been tempted by the idea of addressing demand for paid sex simply by targeting transactions with those who have been subject to force, and their efforts in that regard have been sadly ineffective. A good example to consider is Finland. In 2013, the Finnish Ministry of Justice conducted a review of the law in Finland, which,

like Northern Ireland, only criminalised the purchase of sexual services from individuals who have been trafficked. The review found that the law was not doing enough to protect victims of human trafficking and argued that the criminalisation of the purchase of sexual services would have a much stronger impact and would be easier to monitor.

It is my contention that, even with the change advocated by the Department of Justice today, the current caveated offence will not be nearly as effective in tackling human trafficking as clause 6 of Lord Morrow's Bill. If the House were to agree with the Minister that his amendment is a better way forward, I predict that it will not be long before we would back here considering the issue after the amendment failed to tackle the real problem.

The Minister of Justice is seeking to resist clause 6 on the basis of the research that he published on Friday. To my mind, that research was commissioned as a wrecking tactic to try to destroy clause 6. As we know, Lord Morrow launched his consultation on the Bill in August 2012. Minister Ford proceeded to announce that he was going to launch research into prostitution only in September 2013, over a year later. The selected researchers only began work in April 2014, with a final document only being released on Friday of last week. Much has been said about the findings of the document, and I will leave it at that. It was manifestly obvious from the beginning that the purpose of the research was to derail clause 6. It was like a tactic straight out of 'Yes Minister'. The hope was that Lord Morrow would either remove his clause or postpone bringing his Bill forward.

As Mr Wilson and Ms Bradley said, the research team did not contain a single published supporter of criminalising paying for sex. It did, however, include published opponents, including the lead researcher, who had already entered the debate specifically on clause 6 prior to being selected and had said that clause 6 should be removed from the Bill without replacement. However, many academics do not share that view. For example, 75 academics signed an open letter in support of the Honeyball amendment that went before the European Parliament in 2013. They included many eminent figures.

If the Department had wanted a wider perspective, it could have insisted on a balanced panel with some academics who believe that prostitution is a legitimate form of work and some who do not, but it did not do that. In my opinion, that is a terrible shame, considering the fact that the Department of Justice spent £60,000 of taxpayers' money on that research. The Minister has consistently stated that his Department is short of cash, which I have no doubt is true given these strained financial times. However, he felt that he could spend £60,000 on a flawed study, which is more than the cost of a regional rapporteur for Northern Ireland.

I will now respond to the criticism —

Ms Lo: Will the Member give way?

Mrs Hale: I am happy to give way,

Ms Lo: Does the Member agree that law and policy should be based on evidence, and that it was quite right that the Minister spent money to commission the research?

Mr Poots: Will the Member further give way?

Mrs Hale: Yes.

Mr Poots: Is it not the case that the evidence provided was extremely poor? The consequence of that is that, very sadly, reputational damage has been done to an organisation in the form of Queen's University Belfast, which many of us respect. That reputational damage has been done as a result of how the report was produced. As has been quite rightly pointed out, it is £60,000 wasted.

Mrs Hale: Thank you.

Ms Lo: Will the Member give way?

Mrs Hale: One final time, Ms Lo.

Ms Lo: In response to Mr Poots's comments —

Mr Dickson: *[Inaudible.]*

Mr McCarthy: I did not speak. It was him.

Ms Lo: Sorry, I got distracted. I have suddenly forgotten what I was going to say.

Mrs Hale: Maybe the Member would like to respond during her speech.

Ms Lo: Forget it. I will come back.

Mrs Hale: I will now respond to the criticism that is regularly levelled at clause 6 by those who say that it confuses prostitution with trafficking. That simply does not stand up to scrutiny as we have heard.

First, as I have said, the NRM shows that over half of those trafficked in Northern Ireland since 2009 were trafficked to meet the demand for paid sex. Secondly, the Bill has never been just about trafficking; it has always been called the Human Trafficking and Exploitation Bill. It addresses challenges where no element of trafficking is present, including the sale of sex. To my mind, it is clear that, regardless of whether an element of trafficking is present, the experience of most people in prostitution is one of exploitation. That was eloquently demonstrated, for example, through the inquiry into prostitution published this year by Westminster's all-party parliamentary group on prostitution and the global sex trade:

> *"the group took a large volume of consistent and highly compelling evidence that women involved in prostitution were regularly survivors of child sexual abuse; had entered below the age of 18; had problematic patterns of drug and alcohol misuse; or had been targeted having been in care."*

Having worked for a long time with young people and children in care, I know that this is a very serious issue and that they are targeted by pimps and traffickers in their area. Extreme poverty was also regularly cited and, in some cases, all those factors were sadly, and horrifically, present. The report was also highly critical of the English offence equivalent to article 64A, saying that it:

> *"fails to account for the complex nature of coercion. Coercion is often a subtle and manipulative process. The language of 'choice' assumes a range of options. More often the decision to enter prostitution is led by poverty, drug or alcohol dependency, or patterns of abusive behaviour."*

9.00 pm

For most people entry into prostitution is not the result of a positive choice on the part of the individual but is caused

rather by a lack of choice. That point was made eloquently again and again by submissions to the Justice Committee, as we have heard. Annie Campbell of Women's Aid said:

> *"Prostitution is not a choice; it is a trap that women and girls are lured into or fall into."*

And Clare Moore of the Irish Congress of Trade Unions summarised the evidence well when she said:

> *"Many of the women involved in the sex industry had no real choice. Poverty and life circumstances combined with deception and exploitation are evident in many of their stories. We believe that for, most of those involved, prostitution is rooted in poverty, marginalisation and desperation and linked histories of abuse and violence."*

Do we want a law that serves the interests of pimps and traffickers or one that serves the best interests of vulnerable children, men and women and challenges the primary driver for trafficking into Northern Ireland? As the current offence has illustrated so very eloquently, we cannot have a law that serves both interests. We in the House have to make a choice. We need a law that serves the best interests of the vulnerable men, women and children and challenges the primary driver for trafficking into our Province. That is the option presented to us by clause 6.

In closing, I should say that I am glad that Lord Morrow has put forward an amendment to ensure that much-needed support is provided to help people to exit prostitution. That has been of central importance in countries that have criminalised demand, and the need for its provision was actually highlighted by Mr Wells, prior to his becoming Health Minister, at the Second Reading of Lord Morrow's Bill in September last year. The point was also made by a significant number of organisations to the Justice Committee during the Committee Stage — for example, Women's Aid, Ruhama, the ICTU and SPACE International — and Lord Morrow has listened and responded.

I do not claim that criminalising the purchase of sexual services will end prostitution in Northern Ireland. No legislation could achieve that. Laws against theft and murder have not managed to eradicate those crimes, yet they have sent a normative signal that such practices are unacceptable in our society and, crucially, help to reduce their occurrence. I believe that clause 6 can perform a similar function. I urge Members, no matter where you are coming from, to please support — for their sake — clause 6 today and reject the attempt by the Minister of Justice to remove it from the Bill. Finally, I must say that Lord Morrow's vision and tenacity in bringing the Bill forward is a shining example of advocacy to us all.

Ms Lo: My party colleague Stewart Dickson has made a compelling case against clause 6. I am just going to add some of my thoughts.

Human trafficking is, no doubt, one of the severest abuses of human rights, and we must do all we can to stand firmly against any form of modern-day slavery, whether it be sexual exploitation, domestic servitude, forced labour or any other activity. As someone who has spoken out for years about this heinous crime and set up the all-party group in Stormont on human trafficking, I welcome Lord Morrow's commitment to eliminating it. In the 12 months that have elapsed since Second Stage, the Bill has greatly improved. I know that Minister Ford has worked closely with Lord Morrow on the Bill, and I commend them both for their efforts.

It will come as no surprise to the House that, whilst I support the vast majority of the Bill's provisions, I must reiterate my very grave concerns about clause 6. Clause 6, as we all know, would criminalise payment for the sexual services of a man or woman. That has provoked an intense and, at times, emotionally charged debate in the Chamber and in the media. I respect the very different views and opinions on the matter, and I hope to convey my reservations with sensitivity. I firmly state that I support the objective of discouraging the trafficking of persons into Northern Ireland for sexual exploitation. However, I am not convinced that there is sufficient evidence on which to pass legislation such as this, and I will detail why shortly.

We find ourselves in an interesting position where those from a more evangelical persuasion, who possibly seek to ban prostitution for religious and moral reasons, find themselves in agreement with those with a more radical feminist perspective. Some feminists argue that prostitution is a form of male violence against women. They argue that it is physically and psychologically damaging to sell sex and that there are no women who sell sex voluntarily. Furthermore, it has been claimed that, if one wants to achieve a gender-equal society, prostitution must cease to exist, not only for the reasons I have mentioned but because all women in society are harmed as long as men think of women as commodities. I will not disagree with some of those sentiments, but I urge all who support clause 6 for such reasons to ask themselves the following questions. If clause 6 is introduced, what will the implications be? How will they impact on the women involved? What will it mean for women involved in prostitution if they have to leave that form of labour? Are we sure that we are putting protections in place to support women in every way? Those are all questions that Sinn Féin raised at Second Stage. It is disappointing that they have apparently changed their mind despite their previous reservations.

The inclusion of a clause on prostitution in a human trafficking Bill, although the two issues are often cited as being interrelated, is misguided. They are not one and the same issue.

Mr Wilson: Will the Member give way?

Ms Lo: Yes.

Mr Wilson: Given that all of the evidence shows that many of those who are trafficked are trafficked to be sold for sex, how does the Member reach the conclusion that that is an inappropriate issue to address in an anti-slavery Bill? Since she seems to think that this is some crusade by evangelical fundamentalists, perhaps she will tell us which of the following groups are evangelical fundamentalists: Women's Aid, ICTU, Equality Now and the European Women's Lobby. Which of those have joined the evangelical wing of the Protestant Churches in Northern Ireland?

Ms Lo: Would you not agree that the Bill was very much drafted and supported by CARE? That is my answer to you.

Policy and legislative responses should distinguish clearly between human trafficking for sexual exploitation and prostitution. They are not the same. If each is to be

targeted effectively, they need to be addressed separately. The notion that sex trafficking is a simple supply-and-demand equation, and if you stop the demand, you stop the supply, is flawed.

A single clause in this Bill is not going to deal comprehensively with the complex social issue of prostitution. A single clause simply cannot formulate exit strategies and other service provisions. A Member from the DUP mentioned counselling, employment and training. Those are the things that need to be in the Bill. A single clause itself is just useless. We need all those provisions and different strategies together to deal with the issue in a wholly realistic manner.

Mr Wilson: Will the Member give way?

Ms Lo: No. I gave way to you once already.

Attempting to tackle a topic as complex as prostitution through one clause in a private Member's Bill is not the best approach.

Clause 6 is, by and large, based on the Swedish model. It is frequently stated — and has been mentioned many times today — that the number of women in visible prostitution in Sweden has decreased since the Sex Purchase Act was introduced in 1999. The Swedish police described the Act as an efficient tool for keeping trafficking away from Sweden. The law has brought support from the general public in Sweden and that has been interpreted as it having had its intended normative effect on opinions of prostitution.

If you look at the available evidence, however, you will see that none of those points is fully convincing. The claim that the number of people involved in prostitution has declined is based largely on the work of organisations that report back on specific groups they work with. Social workers, for example, count and get an impression based on their contact with women in street prostitution in larger cities. That does not take into consideration other forms of prostitution, which, hidden from view, are still going on.

The 2010 Skarhed report, which is regularly cited, acknowledges that there are other forms of prostitution, but it still concludes that the law is a success based on the number of women in contact with social workers and police. Men involved in prostitution, women who operate indoors and those selling sex outside the larger cities are, therefore, excluded from the scope of the report.

This excessive focus on street prostitution ignores the fact that, since 1999 or so, mobile phones and the Internet have meant a decline in face-to-face contact with women selling sex in the traditional sense. That is backed up by the recently published DOJ research, which found that the majority of sex workers in Northern Ireland advertised online and worked from houses. The police can certainly testify to that.

The Swedish Sex Purchase Act is often said to be an effective tool against human trafficking. The evidence for that claim is weak. The official data that does exist is vague. Some authors have also pointed out that the Act may have raised prices for sex, making trafficking for sexual purposes potentially more lucrative than ever.

Mr A Maginness: I thank the Member for giving way. I am interested in the point that she raises that really, in a sense, the Swedish model is not working and is making the situation worse. That is not compatible with the widely acknowledged success of the Swedish model, which many people internationally recognise and are, in fact, copying.

9.15 pm

Ms Lo: I thank the Member for raising those points. It has also been well accepted, in report after report, and I will cite some of them from the document that I have, which is from the Board of Health and Welfare in Sweden. It states:

> *"We have determined in previous reports ... that prostitution is a multifaceted phenomenon that is affected by several interacting factors. No causal connections can be proven between legislation and changes in prostitution. It is also difficult to identify the impacts of legislation because social processes are affected by several complex and situational factors."*

It continues by stating that in recent interviews by the Board of Health and Welfare:

> *"most men state that the ban has not changed anything for them, but describe it as a 'punch in the air'."*

So, it has been criticised, and I urge Members to open their mind and not listen just to what they heard from the government side in Sweden. Many people have come out to cast doubt on the statistics from the Swedish model.

There is the other problem that, if we simply ban something from happening here, it merely moves the problem elsewhere. Exporting a problem is not a solution. We all need to work together, and there are initiatives that enable European member states to work together, because we know that it is a global trade that crosses borders. Country borders are no deterrent to human trafficking. I have long argued that one of the most effective ways to prevent people being trafficked into prostitution is to focus on the source countries. I understand that, in China, there are open advertisements in newspapers in certain provinces, luring young women into applying for bogus posts as nannies and waitresses in the UK and America. What are the Government in China doing to stop people from falling into these traps? Those Governments need to address such issues, and we need to put pressure on them to do more, rather than export women to the west to be exploited. It is a serious crime, and we all need to work together.

It is also important to repeat the PSNI's concerns that passing legislation banning prostitution may have the unintended consequence of diverting resources from tackling trafficking to monitoring prostitution; not to mention just how difficult it could be to enforce the legislation. We should remember that it is already against the law to pay for the sexual services of a prostitute who is subjected to force — irrespective of whether the person had any knowledge of force being used — or to solicit the services of a prostitute in a public place.

My overriding point is that it is bad practice to legislate and to take long-term policy decisions without an evidence base, particularly a local, Northern Ireland-specific evidence base. We do not know the true extent of human trafficking in Northern Ireland or the proportion of prostitutes here who have been trafficked. To legislate in this manner, without a fuller sense of those figures is, in my view, irresponsible. That said, I welcome the recently published DOJ-commissioned research, which is the most comprehensive survey to date of how the sex industry works in Northern

Ireland. It surveyed 171 sex workers and 446 clients, and it looked at all aspects of prostitution, including trafficking for sexual exploitation. I know that DUP Members rubbish it, but perhaps that is because they do not like the results. I have, through my constituency work, met women who voluntarily work as sex workers and women who have been trafficked into prostitution. It is a very complex issue. People are driven into it through all sorts of circumstances, be it debt, drug or alcohol addiction, or because they did not get enough help from government, social services or public services. They have no other choice but to go into prostitution. The issue is how we should help those women to prevent them feeling that prostitution is their only option. We need to help them to not fall into the trap of thinking that prostitution is the only way out.

From the DOJ research, we learned that only about 20 people still work as street-based prostitutes in Northern Ireland. The majority of the industry advertises online and works from houses. Between 300 and 350 people are available for sex work every day. There is a significant number of male sex workers in Northern Ireland. Fewer than 1% of those surveyed stated that someone had forced them into prostitution. The majority of sex workers surveyed said that they did not agree that it should be illegal to pay for sex. Interestingly, the research tells us that more than one third of men questioned for the study mistakenly assumed that they were breaking the law by purchasing sex. If people continue to pay for sex thinking that it is illegal, what is to say that they will cease when it is actually illegal?

For the first time in Northern Ireland, prostitutes have been asked about their lives and circumstances and whether the legislation that Lord Morrow proposes would free them from the many vulnerabilities they face. Prostitution is a very complex issue. We still do not know how many people involved in the trade are coerced by human traffickers. It is very hard to determine the extent of what we are dealing with. Further evidence is required. Until then, I cannot, with good conscience, support clause 6. I say that as someone who has advocated and raised awareness of the issue for more than 10 years, when a Chinese woman murdered in north Belfast was widely known to have been a victim of human trafficking. I urge the House to think carefully about clause 6.

Mr Principal Deputy Speaker: Before I call Steven Agnew, I point out that there is a considerable amount of noise and the buzz of conversation, particularly when women colleagues are trying to make a contribution. It is difficult for them to speak, and it is difficult for the rest of us to follow the debate. I know that it is late in the evening, but we have to pay attention, and we have to allow other people to be able to pay attention.

Mr Agnew: I am not sure whether it is the late hour or the length of the debate, but I do not relish speaking on it. It is a difficult and emotional topic. Everyone who has argued their case has done so with genuine intent and feeling. I go back to what I said earlier: we all abhor human trafficking. Where we may disagree is how best we tackle it. I have seen the body language of some Members — I have probably been guilty of it myself — who, on hearing somebody with whom they disagree, have turned away, sighed or whatever it might be. We should give one another a bit more respect than that. We are coming from a genuine place on what is a very difficult issue. There are many victims, and how best we serve them is at the centre of the debate.

For me, there are two categories of argument in the debate: a moral one about whether prostitution is right or wrong and whether it is inherently exploitative and one based on what the outcomes would be should we criminalise the purchase of sex. On the moral argument, I am conflicted. I will be honest about this: I had prepared a very one-sided speech — I prepare speeches — but I listened to the debate and thought, "No, that is dishonest. This is not one-sided, and no one moral argument holds absolutely".

I listened to Catríona Ruane describe herself as a feminist. She talked about the commodification of women. Of course, I am absolutely opposed to that with every fibre in my body. Whether it is prostitution, page 3 or lads' mags, I oppose the objectification and commodification of women. I listened to Paul Givan speak about his daughters. I have a daughter. Would I wish her to grow up and become a sex worker? Absolutely not. That is not what I want for my daughter. It is not a choice that I would make for her, and I hope that it is not a choice that she will make or have to make.

Equally, I have read the research provided by Queen's University. I understand that people have questioned its legitimacy and intent, and I think that there is a flaw if somebody states a clear position on something before researching it. I accept that, but I do not think that we can completely ignore it for that reason. It says that 98% of those surveyed oppose the criminalisation of the purchasing of sex. Maybe it is not 98%, and maybe the survey is not perfect. Maybe it is only 80%, but can we ignore that? We have an indicator. It is not perfect or absolute. Not every sex worker in Northern Ireland was surveyed, but it is what we have as evidence. I heard Alban Maginness and, I think, Catríona Ruane say that no woman chooses to be a prostitute and sell sex. I do not have the evidence for that, so I cannot go on that argument. I have the research that I have, and I can go only on the evidence there.

Mr Givan: Will the Member give way?

Mr Agnew: Certainly.

Mr Givan: I appreciate the point that the Member is making, and it is one that we posed to the Human Rights Commission. Some will say that clause 6 is an infringement of people's rights and the right to a private life, but, when we put that to the commission, Dr Russell said:

> *"the question is whether it is reasonable and proportionate for the state, in order to protect the rights of the most vulnerable members of society, to restrict the rights of others. In the commission's view, those who are vulnerable should be the priority in this instance."*

That is why the Human Rights Commission said that it was right to support clause 6.

Mr Agnew: I thank the Member for his intervention. I did not say that it was a rights issue, but, again, that is a part of the evidence that we cannot ignore. That is why I say that I am conflicted on the moral arguments.

I get concerned about arguments that absolutely assume that no woman, even if she says that she has chosen to sell sex as a form of work, can have chosen to do so. I get concerned because I fear that, underneath some

of the comments, there is still a presumption that sex is something that is done to a woman, that sex by its very nature is violence against women. Individual Members will have to search their conscience on that, but I think that it underpins some of the arguments that no woman would ever choose it.

Mr Givan: I appreciate the Member giving way again. We asked the Irish Congress of Trade Unions that too. Is prostitution — sex work, as you call it — regarded as a valid form of work? In response, Peter Bunting said:

> *"The clear answer to that, which I think you got from the previous witness as well, is that it is really about exploitation. It is very simple. We could not conceive it to be a valid description of work."*

Mr Agnew: Again, I thank the Member for his intervention. I hope that in future debates, when I give evidence from the Irish Congress of Trade Unions, the Members opposite will say, "That is a great organisation, that is. We should listen to what it has to say", particularly tomorrow, when we discuss the living wage. I will quote the ICTU tomorrow.

This is where I come at this: as I said, I would not choose prostitution for my daughter; I would not choose it for anyone. I find it hard to comprehend that anyone would make that choice with the availability of other choices, but I read evidence that says that 32% of those surveyed have degree-level education. I suspect that they have opportunities, although I do not know the individual circumstances. I accept that it might not be 32% — it might be 20% — but it is still a significant number that we cannot ignore of people who are saying that, "We are educated, and we are sex workers". We have a perception —

9.30 pm

Mrs Foster: Will the Member give way?

Mr Agnew: Yes.

Mrs Foster: Does the Member accept that somebody with a degree-level education — this picks up on Ms Lo's point — may have come into prostitution through alcoholism, drugs, debt and a myriad of reasons that may mean that it has actually not been a free choice for them to end up in prostitution and that, in actual fact, they are vulnerable people who have ended up in prostitution and now continue with it?

Mr Agnew: I do. I hope that the Member will, equally, accept that there are those who got into prostitution while in university to help to fund their education.

Mrs Foster: Correct.

Mr Agnew: That is regrettable, and it is choice that I would not make. It is a choice that someone else has made, and I do not feel that I can say that they should not make that choice. That is where I get very uncomfortable about legislation.

Mr Humphrey: Will the Member give way?

Mr Agnew: I will give way in a second. I want to finish this point.

When we start saying that, "I would not, so you should not", I get very uncomfortable.

Mr Humphrey: The Member should also remember that many of those being trafficked into prostitution come, for example, from the eastern bloc in Europe. They are highly educated, but they do not have the opportunity to get meaningful employment in the professions in which they have been trained and for which they studied in university.

When Women's Aid came before the Committee during my time there, they made the point about women, for example, from China who had no identity and those from certain sects or castes in India who, equally, have no identity. When we were in Sweden, we had the issue of people from Latvia, Lithuania, the former Soviet states and so on who do not have an identity in their own country. Those people are then trafficked and used; they have no option. We were told of a young lady in Stockholm who, at 19 years old, was servicing upwards of 20 people a day in a filthy, dirty flat. She had no salary; she had to ask for a bottle of water or a packet of cigarettes. She had no choice. The issue is that we have to protect the people who have no choice, the most vulnerable people, who simply can do nothing to protect themselves. It is our duty and responsibility to provide the laws to protect them because they simply cannot protect themselves, especially when they are in a nation other than their own.

Mr Agnew: I thank the Member for his comments. To a large extent, I agree. We are not debating whether trafficking should be illegal: it is illegal. In fact, we have a Bill here that I hope will enhance our action to tackle trafficking. It is the muddying of prostitution and trafficking that I take issue with.

On the point about the nationality of those with degrees etc who were surveyed, perhaps the Minister may comment further; I do not have that level of detail. Again, I suppose that the one fundamental thing that I come down to is that I do not have enough information to say that we should criminalise the purchase of sex because, at this point, I do not feel that I have the evidence to say that it will help those who are most vulnerable, those who are exploited, coerced and driven to prostitution through poverty. I do not have that evidence; it is not evidence that I have seen.

I mentioned at the start of my contribution that I felt that there were two arguments. First, there is the moral one, and, as I said, it is one that I am conflicted on. I do not think it is a simple matter. If I could get rid of prostitution, pornography and the objectification and commodification of women, I would do it. However, I do not think that that is a choice we have in front of us today. The other argument, and I feel I have perhaps a bit more research and evidence around this, is the outcome of what I think would happen for the most vulnerable groups that we have identified should clause 6 be passed today, which I suspect it will.

It may not be exact, but we have an indicative figure that 17,000 men a year purchase sex. We can challenge that figure, but it is probably an indication of the level of purchasing of sex. The number of people guilty of trafficking in Northern Ireland, which is the large focus of the Bill — people have pointed out that it is the exploitation Bill, and we can have the debate about whether prostitution is exploitative — is, I suspect, in the tens. We can widen that by looking at the other vulnerable groups as well as those trafficked and include the perpetrators of rape and coercion. That is a number that we should focus on. It is a number that we should go after. It is a realistic target, if not to eradicate, to turn the screws on those perpetrators.

There has been a lot of debate about the position of the police. The evidence given by Detective Superintendent Philip Marshall has not gone away. The police can change their position, but the points he made are as valid today as they were when he made them. I do not believe that it is viable for the police to pursue and gather evidence on 17,000 men a year. We would be putting a huge strain on them, when what we are talking about is human trafficking, a very specific and heinous crime, as has been pointed out, and one of the most serious crimes.

Whatever we think of prostitution, compare trafficking with two adults who are in a consensual transaction over sex. Whether we think it is right or wrong, on the spectrum of offences, compare two consenting adults with somebody who is trafficked, coerced, enslaved, imprisoned, tortured or raped. Those are the women and men whom we need to protect. Those are the crimes being perpetrated that we need to go after. Yes, we can expand it to prostitution. However, that is a separate Bill and we need more evidence. Those in prostitution who are being exploited, pimped or coerced are protected in law. If they are raped or are suffering domestic violence, we have laws against that. What we are focusing on today is human trafficking.

If we want to better protect the most vulnerable in our society, let us look at our prosecutions around rape. Rape is illegal. We do not need the criminalisation of the purchase of sex to make rape illegal. However, we are not convicting the perpetrators. We hear a lot of debate in the media about entrapment, particularly around footballers but also people in high-profile positions of power. When a woman says that she has been sexually abused or has faced sexually inappropriate behaviour, we have to assume that she is telling the truth and start from that basis. At the minute, our justice model when it comes to rape is absolutely failing. If people genuinely want to protect the most vulnerable in our society, that is something that we have to look at.

However, I believe that, in the case of resources and of getting a good outcome from this legislation around preventing human trafficking and prosecuting people guilty of human trafficking, we need to focus and target our resources on the perpetrators of this most serious of crimes, along with rape and coercion. I will come to the issue of those driven to prostitution through poverty, addiction or debt, which has been referenced. That is wrong, and it is something that we want to oppose.

Mr Humphrey: I am grateful to the Member for giving way. I will just make the point that the Republic's equivalent Committee to the Justice Committee, which we met on a visit to Dublin, is looking to shape legislation to protect people who are trafficked into prostitution. If the Republic of Ireland Government pass legislation through the Dáil that protects those people, and we fail to provide the laws to protect people here in Northern Ireland, what will happen is that Northern Ireland will become the soft underbelly for this illicit, illegal and heinous crime on a much larger scale. We are already having people trafficked from mainland Europe across the United Kingdom and to the Republic. You are talking about resources. If we do not introduce legislation, it will expand exponentially and in a way that we will never control and get a grip of. I make the point again that we have a duty and responsibility to protect the most vulnerable people. The Member has talked much about loopholes and things. We need to turn and look at how we are protecting people. From what I am hearing, you are not doing that.

Mr Agnew: I disagree with the Member. I am absolutely focused on how we protect people in getting the outcomes. I repeat that human trafficking is illegal. This Bill will not change that one way or the other. What this will criminalise is the purchase of sex. Those trafficking, whether it is across the border from the South or wherever it comes from, will still be committing a crime.

What I am saying is that we should focus police resources on those crimes. I go back to the evidence from Philip Marshall; we have evidence from Philip Marshall that says that actually those who are purchasing sex are identifying trafficking. We would lose one of our key witnesses. A trafficked individual, most likely a woman if it is in the sex trade, will have contact with three groups of people: her traffickers, other women who are trafficked, and the clients. If we remove the client, who is there to give evidence? The other people who are trafficked are not in a position to give evidence because they are equally as in danger as they are. The trafficker is not going to give evidence, so we actually rely on the client to give evidence.

So I disagree. I am absolutely focused on tackling human trafficking. What I am not focused on is tackling prostitution because I do not share the same moral outrage at prostitution that some Members of the House have, although I absolutely am outraged when people are exploited. Again, I think that we have to separate the two things. However, I will make the point that those who are driven to prostitution —

Mr Ross: Will the Member give way?

Mr Agnew: Sure.

Mr Ross: Given the issue that he raises, which I take as a genuine issue, about whether or not the client, as he calls it, would give evidence, does he have any evidence that clients have been bringing forward that sort of information to the police? If he does have that evidence, can he present it to the Assembly today?

Mr Agnew: The evidence was presented by Philip Marshall of the PSNI, who heads up the work on human trafficking.

Mr Ross: How many?

Mr Agnew: I do not have the numbers but I can access them. It was cited as one of the police's tools of gathering evidence. We need to be mindful that, if we pass clause 6, we take that tool away.

I come now to the issue of prostitution driven by poverty, addiction and debt. Anyone in that situation is undoubtedly a victim. However, again, if we are genuine about wanting to help those people, we need to look at each of those individual issues. How do we address poverty? How do we address addiction? How do we address debt? Prostitution is the symptom of those things, not the cause. We will not get into those debates now. We will have debates forever and anon about having a strong welfare state; a living wage for workers and making work pay; and proper support for addiction and treating it like an illness, rather than treating those with addictions somehow as criminals or a lesser group in society. If we are genuinely concerned about those people, that is how we will treat these issues.

9.45 pm

I will conclude, Principal Deputy Speaker; I have probably spoken at length. We have to accept the reality that prostitution, whatever we think of it, is the world's oldest profession. The Bill will not get rid of prostitution. We cannot wish it away; we cannot legislate it away. It is a reality in our society. We have to make sure that the best protections possible and the best support available are in place for those engaged in prostitution. I welcome clauses that would help women or men find a pathway out of prostitution, for example. I think that that is the right approach. For some people who are in desperate need, it is their only avenue of earning money. We have to make sure that the alternatives to prostitution are better, whether that be through our welfare system, improvements in pay and working conditions in our, unfortunately, low-paid employment or supporting the Irish Congress of Trade Unions, not on a selective basis. This is the way forward. I do not believe that criminalising the purchase of sex is in the best interests of victims of coercion, rape or exploitation, and I do not think it is the best way to tackle human trafficking.

Mr Principal Deputy Speaker: I call Mr Basil McCrea. *[Interruption.]*

Mr B McCrea: Mr Principal Deputy Speaker, if Mr Givan wants to say something, I am quite happy to let him start. The hour is late. There has been much debate this evening about research and the quality of research. I have listened intently to some fine speeches. Stewart Dickson, Anna Lo, Steven Agnew and some other Members made me think about what is at stake here.

Some other contributions, which I know to be honestly held, seemed to be trying to draw the research to fit the contributor's narrative. If they could find a bit of research that supported their story, that was good research, and research put forward by other people, which did not support the story, was bad research. That does not seem to me to be the right way to go about things. One of the points that Mr Agnew put forward was that, regardless of whether it is 100% correct, there are certainly indicators that some information is better than no information. Of course, Members are right to interrogate it to see whether it is appropriate and relevant to Northern Ireland, and whether we can substantiate it, or whatever, but we should not ignore it.

One of the big arguments that came across was an argument that I heard from Alban Maginness and, I think, Patsy McGlone. They were emphatic in their support for the Swedish model. Yet, Anna Lo was able to come back and say, "There is not emphatic support for the Swedish model". It is not uncontested. Not only do many people say that it does not work but that it is counterproductive.

I did not get to go to Sweden as part of my research, but I talked to some of the media outlets there. This information may be of help to Members. This summer, on 24 July 2014, a Swedish newspaper published the headline, "Police turn blind eye to Swedish 'slave trade'". The article states:

> *"Police in Gothenburg have confirmed that sex trafficking in the city has developed into a full-blown slave trade - but that they lack the resources to do anything about it."*

The article goes on to say:

> *"Gothenburg police busted a large Romanian pimping network in 2011",*

But, not long after that, other people came in and took over.

One week earlier, the Swedish newspaper 'Expressen' stated that human traffickers had gone from "just" selling sex to selling women as lifelong slaves. That is in Gothenburg, the second city of Sweden, where, you are telling me, there has been such a great success. The newspaper said that the cost of a slave for life is €2,000 and that for 700 kronor or $100, one can rent a couple of girls for a day for cooking, cleaning or anything else. One seller reportedly said, "Do what you like with them". This is Sweden. This is Gothenburg. This is where we are supposed to have the panacea and where we are supposed to have it fixed. Human trafficking is an acknowledged problem in large Swedish cities, with well-established red light districts in Stockholm, Gothenburg and Malmö. I do not know whether the Committee managed to get to Rosenlund, which is one of the red light districts in Gothenburg, but, apparently, there is quite a lot of information available there. However, the real problem that they come back with is that there are no clear statistics on how widespread the black market business actually is because much of the trade is now conducted online. However, there was some research done. Some Members opposite have ridiculed the Queen's University research, but they might listen to a report from Lund University in Gothenburg, which, in 2012, found that one in 10 of 5,000 Swedish men surveyed had paid for sex. That one in 10 is not at the same level as the one in 15 that Caitríona Ruane was talking about, but there is still a level of sex that is going on.

Last November, TV4, one of the major Swedish television stations, reported that sex trafficking was on the rise in Sweden, with a quarter of a million sex purchases in Stockholm alone over the course of one year. The report stated that a sum of about kr400 million was exchanged online for sex sales, and there was no way of knowing how many more purchases occurred on the streets. So, the situation is similar in Gothenburg, but police have other priorities. Persistent and warlike gang violence has kept the police force busy, and, in September last year, the police launched Operation Trygg — Operation Safe in English — to combat the shootings. That is part of the issue. The Gothenburg police conclude by saying:

> *"We have a pile ten centimetres high of tips and reports [about human trafficking], but we don't have the time or resources to handle it so we can't even look. We can read them of course, but then we just feel frustrated because we can't do anything."*

All that I will say to those of you who are putting forward the argument that the Swedes have the answer is that this evidence and information that I have tends to suggest the contrary. There are, of course, official reports that Ms Lo talked about from the Department of Health. The real argument that we are coming round to here is that we are pinning all our hopes that we will be able to deal with something with a particular course of action that has not been properly researched, does not have the full support of the international community and may, in fact, be counterproductive. That is the real issue facing us when we talk about prostitution.

Mr Humphrey: Will the Member give way?

Mr B McCrea: Just one moment.

The question about prostitution is one of what to do about it. I thought that Mr Agnew made a really brave speech when he came forward and said that he is morally conflicted about which way he should go. Let us assume that we are not in favour of prostitution and that we want to try to remove it. What is the best way to deal with that? That is the big question, and you can also take the situation as this: what do you do about all those people who, for whatever reason, are already involved? There are those who maybe have had financial difficulties, drug difficulties, difficulties with alcohol abuse or some other issue that has brought them into that situation. How do we deal effectively with the people who are already in an inevitable situation?

Mr Humphrey: I thank the Member for giving way. To be fair to the Stockholm police, they did not say to the Members across the House who were on the trip to Stockholm — we did not go to Gothenburg — that they had the panacea. They said that they could put much more resource into dealing with the problem, which was huge on an international scale. Obviously, because of Sweden's close proximity to the Baltic nations, there was a huge problem, with ferries going in and out regularly to all the Baltic nations. They did say that they had started to make progress in dealing with protecting very vulnerable people, most of whom are nationals other than Swedes. It was also pointed out to us, as Members will recall, that, when people go into a phone box in Stockholm, where there are cards and whatever placed, and phone the number, they think that they are phoning a number in Stockholm but are actually phoning a number in Bucharest. That is how internationally organised these people are.

It is a huge operation, with thousands of girls being exposed, abused and treated in such a heinous way. I accept what the Member is saying. No one who I have listened to who has used the argument of the Swedish example has said that it is the panacea. No one has used that language, but it cannot remain that nothing is done. We have to do something. It is the best option that there is. Part of the problem in Sweden is that the nations that abut Sweden have not introduced laws to protect people. Only one or two prostitutes have been murdered in Stockholm in the past 10 years, but an equivalent where it is legal — it is perfectly legal in the Netherlands — 80 have been murdered in Amsterdam.

Mr Principal Deputy Speaker: Before you resume, I remind Members of the lateness of the hour. Interventions are meant to be short and to the point. That was verging on a speech. The next time that it happens, I will interrupt.

Mr B McCrea: In response to that, I have a Sinn Féin press release. It states that Sinn Féin endorses the Turn Off the Red Light campaign, which, I understand, was part of the reason why it changed its position. It says in this press release — I realise that Mr Humphrey did not say it:

> *"In countries, like Sweden, where the purchase of sex is illegal, there has been a massive decline in prostitution"*

— wrong —

> *"and a significant reduction in sex trafficking"*

— wrong —

> *"and organised crime."*

— wrong. That is not correct. This information is not right. So when you make —

Ms Ruane: Will the Member give way?

Mr B McCrea: Yes.

Ms Ruane: Actually, the information that you gave out is incorrect. Sinn Féin did not change its position. We stated that we would reserve our position so that we could use the Committee Stage to scrutinise and genuinely listen. In all fairness, that is what we did.

Mr B McCrea: Far be it from me to contradict the Member, but I think that her colleague Mr McCartney said something slightly different. Be that as it may, it still gets to the situation where this information is not correct. You are making decisions on the basis of improper information. We need to give you the proper information and then reach a decision.

Ms Lo came forward with information, and I have some stuff here. I talk to people with respect. I do not say to you that you are wrong. You are absolutely entitled to reach whatever conclusions you think are appropriate, but, as part of the debate, I would like to say to you, "Here is some information that I have that seems to contradict what you have. Maybe we should talk about this and see if there is a way forward." One of the things that Ms Ruane said that I agree with is that the vast majority of this conversation and this debate has been taking place between people who really care and want to find a way forward. They may have different analyses about what should be done. That is absolutely fine. This is a legislative Assembly. It is absolutely right and proper that those who bring forward legislation should expect to see it scrutinised. That is the purpose of this Chamber, and that is what we should do if we are doing our job.

I have some other points, and it is useful that I follow on from Mr Agnew because he raised some very interesting issues. One of the most telling things that he said, which was really brave, was, "Do you know what, in terms of the difference between people that are trafficked and people that are in consensual prostitution" — I think that that phrase or something like it was used — "there is a big difference". This is something that actually we have to — *[Interruption.]* I think Mr Givan needs a glass of water.

Mr Humphrey: Or something stronger.

Mr B McCrea: Or something stronger.

Look at the numbers that we have. I think that I am right in saying that the information that came back stated that it is 17,000 men in Northern Ireland per year — not per week, as I think Mr Givan said. Look at the numbers in the research from QUB: only 20 people are estimated to be involved in street prostitution, and the total number is 300 to 350. So, given the actual numbers involved in this, is it so important that we have to do it tonight? Can we not do proper research? If you are not happy about the quality of the research, let us do it properly. Let us get it right. Let us go and do something proper. When we come on to the issue of information —

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

10.00 pm

Mr Givan: Will the Member give way?

Mr B McCrea: Yes — all right.

Mr Givan: I appreciate the Member giving way. He again referenced the research to justify some of his points. The Queen's University research was carried out and led by the lead researcher, Dr Huschke. When she came to the Committee, she presented evidence using the same methodology of an online survey. Let me read very briefly two of the exchanges. Mr Wells asked Dr Huschke about online surveys and she said:

> *"The way that online surveys work is that you create an online survey and then you contact people".*

Mr Wells said:

> *"Which they did."*

Dr Huschke said:

> *"Yes. So, you do not have control over who forwards it to whom".*

Mr Wells went on to say:

> *"All I have seen is a prominent pimp urging his prostitutes to complete your form."*

Dr Huschke's response was yes.

I put that to Members. The lead researcher for Queen's University admitted to the Committee that her previous research had been actively promoted and circulated by a pimp to his prostitutes. I rest my case.

Mr B McCrea: I am really glad that you have rested your case, because I have some more points that are worth looking at. If we want to talk about peer-reviewed research, I believe that Members will have heard of a publication called 'The Lancet', which is where medical professionals publish their papers. An article was published in 'The Lancet' on 21 July 2014, "Control of HIV Pandemic Will not be Achieved without Radical Improvement in Support for Sex Workers". We were challenged earlier in the debate on whether we can find some reasons why you might not want to do something and whether there are some positives, and I am sure that most Members would join me in wanting to see a reduction in and an eradication of HIV. The article states:

> *"decriminalization of sex work would have the single greatest effect on the course of HIV epidemics across all settings studied".*

That is in 'The Lancet'. It continues:

> *"and could avert at least a third of HIV infections among sex workers and their clients in the next decade".*

By the by, it goes on to say:

> *"Furthermore, the study finds that partial criminalization, and other criminalization of clients and third parties (often referred to as the 'Swedish approach') reproduces many of the same harms as full criminalization."*

I will not bore people with the detail, but that published research in 'The Lancet' states that this is not the right way to go forward on health grounds. There may be other issues that you want to deal with but, on health grounds, that is that.

We talked about the information and the numbers and said that about 20 people are estimated to be involved in street prostitution. We also mentioned the figures of 300 and 350. Members might be interested in this statistic. It is a pity that some DUP Members have left, because they should hear it. A statistic brought out by the Brook and ARK knowledge exchange project states that 60% of males in Northern Ireland and 51% of females have had sex before the age of 16. You could say, "Look at the scale of the issue that we are going to talk about". Is that statistic right or wrong? It needs to be looked at.

I want to deal with points raised about the PSNI. During the debate, I heard people using the word "unequivocal" about the PSNI's support. Mr Givan said that he had a letter from the Chief Constable. I have not had the benefit of that, but I can tell you that I have read through the Official Report of what the Assistant Chief Constable and Detective Chief Superintendent McComb said, and they used words like "nuanced", "qualified", "unsure" and "different". They may not have wanted to get involved in a public spat with the Justice Committee or with legislators, but what I read was not unqualified support. There were at least grounds for further investigation. Some try to say, "We have now turned it all round. We have presented the information to the PSNI, and it is now fully supportive of what we are going to do". I am sorry, but I do not see that in the evidence, but perhaps other Members will bring it further forward.

So you get to the situation of how to go forward. I will make an earnest contribution. I do not think that it is necessary to personalise or have a go at people just because they bring forward a different opinion. In fact, if I was really secure in my arguments, I would welcome and take interventions and not say to people that I have heard enough from them.

I would engage with them because I am not afraid, and I am not intimidated. I will say what I have to say because I think that it is worth saying.

On that point, I will conclude by saying to you that the Swedish model is not proven. It is counterproductive, and the Swedes know it. It was part of a different agenda at a different time. We should not follow straight on just because it appears to suit some other agenda. This is far too important an issue to conflate — that, I think, was the word that you were looking for — prostitution and human trafficking. Human trafficking must be opposed. The debate on prostitution needs further investigation and further research. If you do not like the research that was put forward, do it properly and do it yourself, but have a proper reasoned argument. On that basis, I will oppose clause 6.

Mr Lyttle: I will do my best to be brief at this late hour. As a member of the all-party group on human trafficking, I welcome the opportunity to support the Bill. I welcome the contributions made by my Alliance Party colleagues on the issue — Anna Lo MLA as founding chair of the all-party group on human trafficking and the Alliance Minister of Justice, David Ford, particularly the work that

he did to establish the human trafficking engagement group that worked with a number of NGOs and Church groups, including No More Traffik, A21, International Justice Mission (IJM), Active Communities Against Human Trafficking (ACT) and other organisations and people who made an important contribution to raising awareness of this important issue.

I also welcome the work that the Minister has done in collaboration with the proposer of the Bill, Lord Morrow. I recognise the hard work put into the Bill by Lord Morrow and his team, including other NGOs, such as CARE, which contributed positively to many aspects of the Bill.

I recognise many of the Bill's positive contributions. The three key areas of human trafficking that we aim to tackle are prevention, prosecution and protection. Much of the Bill contributes to streamlining offences and improving victim support, in particular, the child trafficking guardian, the discretionary power to extend the reflection and recovery periods for victims of human trafficking and access to health care. However, there are gaps. I believe that the demand and drivers for forced labour have not been paid particular attention by the Bill, nor, indeed, has the awareness raising by many other organisations.

The complex matter of the criminalisation of the purchasing of sex is introduced in clause 6, and that has generated significant and emotive debate. It may be worth noting that some organisations have supported the clause, but other organisations raised concerns, as have many others: for example, the Presbyterian Church, Amnesty International and NEXUS NI have expressed concerns about the adequacy and practicality of some of the proposals. Maybe we can look at what those organisations have said, given the other information that has been referenced this evening. Amnesty International said:

> *"We are ... concerned that the approach of combining legal measures to address human trafficking with legal measures to address prostitution, both complex issues, will not be an effective nor appropriate approach".*

NEXUS NI said:

> *"Although we accept that people are trafficked to Northern Ireland for sexual exploitation, we recognise that trafficked victims and those who sell sexual services are two separate and complex groups."*

The Presbyterian Church said that the case had not been adequately made for a blanket ban on paying for sex. The Church said that it believes that prostitution is, indeed, "an evil in our society", but:

> *"in the absence of any clear and coherent policy on dealing with the issue of prostitution ... we are not convinced that such a wide-ranging clause should be introduced into a Bill that is primarily dealing with human trafficking."*

I was going to intervene when Mr McCrea referred to the Swedish model, but he seemed to be in full flow, so I let him progress. The Swedish National Council for Crime Prevention said that it found little or no evidence that criminalising the buying of sex had had any significant impact on decreasing trafficking for sexual exploitation.

I think that we can agree that those are important organisations with information to bring to bear on this issue with work being done to try to reduce human trafficking and prostitution. I have profound concerns about prostitution in our society and for everyone involved in it. However, it is my understanding that the Minister of Justice has given a clear commitment to bring a full review of the law on prostitution in Northern Ireland before the Assembly and to undertake a deeper consideration of the issue than is afforded by the single clause in this, albeit extremely important, anti-human trafficking Bill. I believe that that proposal should have the support of the House, and I will support it.

Mr McCallister: We are at the stage of the debate where everything has been said, but not quite by everyone. My main criticisms at the Second Reading of Lord Morrow's Bill were about the two issues of human trafficking and prostitution being placed in the one Bill. Those were the concerns that I had then and that I still hold today.

I congratulate Lord Morrow, the Minister and the Committee on their work to improve the Bill. Dare I say that that is why I so vehemently oppose accelerated passage for legislation. The debate has probably shown the Assembly at its finest. Whatever you think about other Members' opinions, whether you agree or disagree, I do not think that anyone could suggest that we are not all passionate and agreed that human trafficking is a huge societal evil; in fact, it is a global evil. Mr Givan compared Lord Morrow to Wilberforce, and I think that the fact that there are more people in slavery today than in Wilberforce's time is a huge indictment on the world. We should be grateful for the work that the Department of Justice, the Committee and Lord Morrow have undertaken.

I have heard many passionate speeches throughout the debate from Ms Bradley, Ms Ruane and Mr Agnew, all talking about the sexualisation of our society, the commercialisation of it and the range of ways in which that can happen. Mr Agnew spoke about sexually inappropriate behaviour and crossing the spectrum to prostitution and the difficulties in dealing with that. We have only to look around to see that it is a very male-dominated Assembly making this legislation.

Mr Agnew said that the figures involved in trafficking were probably in the tens and that trafficking is already illegal; however, we have also heard that 17,000 men a year purchase sex. If we have improved the Bill, if the contributions that the Committee and the Minister have made to Lord Morrow's Bill have improved that and if this Assembly has improved that and taken us farther than the rest of the country, that is to the good when dealing with trafficking. However, I still have some concerns, and I am not convinced that the case has been made for clause 6. I suspect, as would seem from the contributions in the debate, that it will go through relatively easily, but I thought that it was worth placing on record my concerns about it. However, I am pleased that so much progress has been made to the Bill in the past year or 13 months; it shows the benefits of having a proper scrutiny process.

10.15 pm

Mr Poots: I seek to be brief. I had the pleasure of working with Lord Morrow on the Bill in my previous role as Minister of Health, and I think that considerable work has been done and progress has been made. I was somewhat driven to speak by a number of Members who spoke and who appeared to sanitise the business of prostitution.

We need to lay bare the lie that prostitution is something that is largely carried out by people willingly, that it is something that is being carried out by people who are doing degrees and starting up businesses and who may be carrying it out in some well-appointed apartment in a reasonably leafy suburb of a city. We need to make it clear just what prostitution really is.

I wish that some of the Members who spoke had listened to some of the evidence given by groups like A21. It is out there seeking to save people from human trafficking and get them out of the situations and circumstances they find themselves in.

More often than not, prostitutes are young women who are many hundreds and maybe thousands of miles from their homes, who have been taken and who have been fooled and deceived into leaving their place of refuge, which is their home, to get a better life, only to find that they are under the control of pimps who expect them to perform sexual acts for men. Those men pay the pimps considerable sums of money and the prostitutes get a very small amount. If prostitutes do not do what the pimps want them to do, they will suffer violence and attacks. That is what we are really talking about. Let us cut away the flimflam and get down to the fact that it is a dirty, seedy business. It is misogynist, and it uses women — largely women, but not exclusively — as a commodity.

If we can do something about it, do something better and take away the apportionment of blame from the victims — which is what we intend to do tonight — and put it to the person who acquired the sex, it will be a significant move forward.

I urge people to read the evidence that was provided to the Committee by Miss Moran. It is compelling and, if people read it with an open mind, I do not see how they could arrive at a decision other than to support what has been proposed by Lord Morrow.

Lord Morrow: The Minister of Justice has consistently opposed this measure and, today, he has set out his reasons for proposing to remove it entirely through opposing the question that clause 6 stand part of the Bill. In its place, the Minister would like to amend the existing article 64A of the Sexual Offences (Northern Ireland) Order 2008 to allow prosecutions to be brought up to three years after the offence has been committed, rather than the current situation in which a prosecution can only be brought within six months of the offence being committed. That would be achieved through the introduction of new clause 6A.

The logic of clause 6 in my Bill is simple. The NRM data clearly demonstrates that, since 2009, not only is the demand for paid sex in Northern Ireland the biggest single driver for trafficking into Northern Ireland but it accounts for over 50% of the victims. In that context, it seems to me that, to ensure that human trafficking is reduced in the future, we should put in place the very best legislative framework to address the demand by making the buying of sex an offence.

Of course, the Minister says that he agrees, and points out that our current law already makes it an offence to pay for sex with someone subject to force which, of course, any trafficked person would be. Moreover, he also says that he recognises that the current law is not working well, and proposes raising the time bar in order to make it work better. I understand his logic, but I suggest that his solution is nothing like as robust and effective as the solution proposed by clause 6. The idea of limiting the offence to paying for sex with someone who is coerced might sound great in principle, but it has not worked in practice. The law was warmly welcomed as a step in the right direction when it was introduced back in 2009, but the stark reality is that it has not resulted in a single conviction.

First, although article 64A has always been a strict liability offence — making it clear that what the buyer believes or knows about the coercion of the seller is irrelevant in terms of a prosecution — the fact remains that proving that the seller has been coerced is difficult in practice. In fact, an all-party group inquiry into the laws on prostitution in England and Wales concluded that, and I quote:

> *"Section 14 of the Policing and Crime Act 2009 is an insufficient measure for protecting victims because coercion is too difficult to prove."*

Our article 64A offence is identical to that in England and Wales.

Secondly, if we look at other jurisdictions that have opted for these caveated offences — for example, Finland and England and Wales — none of them have tended to work well in practice, and convictions have been very limited. According to the Solicitor General, the CPS has no record of any prosecutions for this offence in England and Wales in the most recent financial year, 2013-14, yet the national referral mechanism identified 533 victims of trafficking in the same jurisdiction for sexual exploitation in 2013.

In comparison, Gunilla Ekberg, former special adviser to the Swedish Government, told the Justice Committee that in Sweden almost 5,000 people had been arrested for purchasing sex over the past 15 years, with a conviction rate of about two thirds. Moreover, in the time since article 64A was introduced, the number of people identified as potential victims of trafficking for sexual exploitation has increased both in Northern Ireland and in England and Wales. It has not done what we hoped it would do, and I suggest that tinkering around the edges is not going to solve the fundamental problem.

I want to set out for Members why I think that clause 6 is the better option. First, before I leave the discussion on the current article 64A, I want to remind Members that clause 6 introduces tougher penalties than that provision. In a 2009 London study of 103 men who buy sex, 77% agreed that a greater criminal penalty would deter them from purchasing sex, as compared with only 47% who would be deterred by a requirement to attend an educational programme. That shows how effective clause 6 could be at reducing demand.

Secondly, I want to look at the international evidence. Of crucial importance, the criminalising of paying for sex has proved to be an effective strategy in other jurisdictions, particularly Sweden and Norway. I do not claim that this model is perfect. Indeed, as José Mendes Bota, who recently took a resolution calling for the criminalising of paying for sex successfully through the Parliamentary Assembly of the Council of Europe, put it in evidence to the Canadian Parliament:

> *"There are no models that are 100% perfect."*

I think that he is absolutely right on that, but to my mind, having visited Sweden to find out more about how the Nordic model operates, I think that it provides the best way forward, engaging directly with human trafficking and wider exploitation.

It is particularly worth reflecting on evaluations which have been conducted on the laws in operation in Sweden and Norway.

In July 2010, the Swedish Government published an evaluation of the operation of the Nordic model in Sweden, which was conducted by the Swedish chancellor of justice and former supreme court judge, Anna Skarhed. The evaluation did not claim that the Nordic model was perfect, but it highlighted the following points. First, street prostitution was found to have been cut in half as a direct result of the criminalisation of sex purchases. Secondly, there was no evidence that the decrease in on-street prostitution had led to an increase in off-street prostitution. Thirdly, fewer men stated that they had purchased sexual services, and over 70% of the Swedish population indicated that they continue to support the law. Fourthly, trafficking in Sweden is on a substantially smaller scale than in other comparable countries, and the Swedish police report that the law on the purchase of sexual services acts as a barrier to human traffickers who consider establishing themselves in Sweden.

Clearly, although prostitution still exists in Sweden, the law in operation in that country has had a positive effect. Nor has the example of Sweden been an isolated one. A 2014 independent evaluation for the Norwegian Government of the operation of the approach in Norway has some noteworthy conclusions. The summary stated that the ban on the purchase of sexual services has reduced demand for sex and thus contributed to the reduction in the extent of prostitution in Norway. The report highlighted that there was a clear declining trend in the market after the law was implemented.

The research also indicated that the law has led to a reduction in the level of human trafficking in Norway. As the summary puts it, a reduced market and an increase in law enforcement posed larger risks for human traffickers. The profit from human trafficking is also reduced due to those factors. The law has thus affected important pull factors and reduced the extent of human trafficking in Norway in comparison to a situation without a law.

I want to be absolutely clear that, while the demand for paid sex is the biggest single driver for trafficking in Northern Ireland, I recognise that it is not the case that the majority of individuals involved in prostitution in Northern Ireland have been trafficked. From the information I have received from the PSNI, a significant minority have been trafficked, but that does not constitute a majority. However, the title of my Bill is not, and crucially has never been, as some seem to believe, the "Human Trafficking Bill". It never was. It is the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. It is my contention that the vast majority of individuals in prostitution today are victims of exploitation.

The academic evidence and the evidence submitted to the consultation for my draft Bill and to the Justice Committee make it plain that, for the majority who work in prostitution, doing so has been the consequence of a lack of choice rather than a positive choice. As Annie Campbell, director of Women's Aid in Northern Ireland, which I have found to be a fantastic organisation, said:

> *"Prostitution is not a choice; it is a trap that women and girls are lured into or fall into. They need a humane society to send out a zero-tolerance message of no abuse to support them to get out of that trap."*

Evidence from the Home Office and multiple academic studies demonstrates that the majority of people who sell sex are incredibly vulnerable and subject to real exploitation. Home Office figures reveal that homelessness, living in care, debt and substance abuse are all common experiences prior to entering prostitution. Many of those in prostitution have suffered abuse or violence in the home. Home Office data has shown that as many as 85% of people in prostitution have experienced physical abuse in the family home, with 45% reporting familial sexual abuse. In a 2012 study of 114 women in prostitution in London, 50% said that they had experienced some form of coercion through trafficking or from a partner, pimp or relative. The same study found that 32% of those interviewed had entered the sex industry before the age of 18. Other studies have found higher numbers than that. For example, a 2004 study found the figure to be 52%. Numerous studies have found that between 50% and 95% of women in street prostitution are addicted to class A drugs.

10.30 pm

Some of the evidence given to the Justice Committee also powerfully illustrates the level of exploitation experienced by people in prostitution. I would like to highlight the evidence given by two individuals, some of which has been mentioned. One worked in prostitution and one paid for sex in the past. I think particularly of the contribution from Faoite — I hope that I pronounced that correctly — who entered prostitution at the age of 33 because she had developed a heroin addiction. She told the Committee in stark terms about the reality of what life was like for many who worked in prostitution. She described how she was not seen as fully human and was treated like an object by those who bought her.

I also think of the evidence of a former sex buyer. He stated that he had never met an empowered sex worker. That individual reckoned that between 5% and 7% of the prostitutes who he came across were minors. He also admitted to paying for sex with individuals who he thought were underage. He further suggested that, from a punter's perspective, the women were all the same and they would buy anyway. At the end of the session, he was asked whether criminalisation of the purchase of sexual services would have made a difference to him, and he emphatically said yes. To him, naming and shaming would be a massive deterrent.

Undoubtedly, some people have made a definite choice to work in prostitution. I recognise that. Such individuals gave evidence to the Justice Committee during its hearings on the Bill. They said that they enjoyed working in prostitution and have stridently opposed the introduction of this clause. However, while it is clear from the evidence that this group does not constitute a majority of those working in prostitution, the problem is that the current law is drafted in such a way that, as a matter of practice, it assumes

exploitation to be the exception rather than the rule and, therefore, is not designed to protect the vulnerable.

Today, we face a choice. Do we want our legislation regarding the sale of sex to be defined out of regard for the vulnerable majority or out of regard for the privileged minority? There is no doubt in my mind that the current law, which tries to help the vulnerable majority and the privileged minority, effectively helps just the privileged minority. By contrast, the new law that I am proposing is defined out of primary regard for the vulnerable majority: those who have been trafficked or are there due to exploitative circumstances.

The imperative for clause 6 is greatly compounded by the publication on Friday of an Ipsos MORI poll, which referred specifically to my proposal in this Bill and the proportion of victims of trafficking found in sexual exploitation. In that light — not in a vague way, but in the knowledge that this proposal was to be debated in this Assembly — the survey asked whether people believed that we as a country should criminalise the purchase of sexual services. A staggering 78% of those surveyed across Northern Ireland said that they believed or strongly believed that Northern Ireland should criminalise paying for sex. Only 13% did not believe that we should take that step. Moreover, when we look at the views of just women, we see that the 78% rises to 82%. Of particular interest was the fact that support was high amongst young people, at 82% among 16- to 34-year-olds. This data indicates overwhelming public support for this clause.

I must respond to some of the counterarguments. During the course of debate on my Bill over the past months, those opposed to clause 6 have regularly used one particular argument. They allege that criminalising the purchase of sexual services could drive prostitution underground — this argument is commonly heard — making it more difficult to help those working in prostitution. Although this argument seems superficially plausible, it falls apart under scrutiny. I will make two points about this. First, prostitution in Northern Ireland is largely very much an underground activity already. Secondly, it is patently obvious that prostitution can never entirely go underground. For money to be made in prostitution, customers are required, and to obtain customers those involved or controlling prostitution need to advertise sexual services publicly. This may be in newspapers or on the Internet, and if the average punter can find an ad for sexual services, so can the police. This was made clear to us on our trip to Sweden. Consequently, this tired argument needs to be put out to pasture once and for all. It is not credible and not rooted in any evidence whatsoever.

There is the related concern that changing the law would make prostitution more dangerous for individuals working in the industry. The evidence is that prostitution is already extremely dangerous. In the Irish Medical Organisation's 2012 submission to the Dáil Committee on Justice, Defence and Equality, the representative body for 5,000 medical practitioners in the Republic of Ireland pointed to a women's health project in 2007, which showed that the majority of women involved in prostitution who came to the project recorded symptoms related to sexually transmitted infections. It also pointed to the fact that one study in London has found that mortality rates are estimated to be 12 times higher among women involved in prostitution than the national average. In the 2011 DOJ research, the author stated:

> *"Many women involved in prostitution in Northern Ireland are subjected to extreme violence."*

After the Swedish law came into effect, the National Board of Health and Welfare there stated, in 2003:

> *"Police who have studied the occurrence of violence have not found any evidence of an increase."*

The 2008 prostitution inquiry conducted in Sweden also established that the claims made by opponents about a worsening situation were baseless.

Data from Norway shows a decrease in severe violence against those in prostitution. In 2012, research showed a halving of the number of people in prostitution who had experienced rape since purchasing sex was criminalised in 2009, compared to those surveyed in 2008. Violence from pimps was also halved and violence from clients was down from 89% to 74%. The recent evaluation of the Norwegian law states that researchers did not find:

> *"any evidence of more violence against prostitutes after the ban on buying sex entered into force".*

There are those who talk about conflating prostitution and trafficking. Many critics of this clause, including the Minister of Justice, have stated that clause 6 conflates human trafficking and prostitution in an unhelpful fashion. However, it is important to point out that, as José Mendes Bota, the Council of Europe's General Rapporteur on violence against women has put it:

> *"Although we understand that prostitution and trafficking are separate phenomena, there is a strong link between prostitution and trafficking."*

It is also important to have regard for what the EU anti-trafficking coordinator told us, just the week before last, during her trip to Northern Ireland. She said that prostitution, organised crime and human trafficking are linked.

She said that at a Department of Justice public event, and she stated clearly:

> *"You can quote anything I say".*

Indeed, the Department of Justice's 'Research paper investigating the issues for women in Northern Ireland involved in prostitution and exploring best practice elsewhere', which was published in January 2011, outlined on page 8 that those two phenomena are "closely interlinked". The research document is rarely mentioned now by the Department of Justice, officials or the Minister, but it made it very clear that one of the main drivers for human trafficking in this Province is for the purpose of sexual exploitation.

In a context where the NRM figures clearly demonstrate that not only is the demand for paid sex the single biggest driver for trafficking to Northern Ireland but well over 50% of victims suffer sexual exploitation, we must do something to address that demand if we are to see an end to human trafficking. Moreover, in a Bill that seeks to tackle human trafficking and other forms of exploitation, addressing exploitation and prostitution is not merely appropriate, it is something that should be expected. Policymakers have long lambasted the tendency to place everything in

policy silos that ignore the relationships between different phenomena that are all tied up together. To that end, I am very proud that my Human Trafficking and Exploitation Bill presents a very effective piece of joined-up government. That is not a weakness; it is a very great strength.

It is asserted by some that we need more research and debate. Let me be very clear: there has actually been a huge amount of debate on this issue. There have been two public consultations: mine and the Justice Committee's. The issue was the subject of six hours' debate at Second Reading. The Justice Committee took the unusual course of extending its proceedings for a full six months to properly look into the evidence. It took written and oral evidence from a wide range of witnesses. It visited Sweden and the Dáil specifically with clause 6 in mind. Its report runs to, I think, almost 1,200 pages, much of which is on clause 6. There have been numerous radio and television interviews and debates on the matter, and, today, we are debating the matter once again. The matter has been debated exhaustively.

Much has been said today about the research into prostitution that was published on Friday. I do not propose to go over all that ground again. Suffice it to say that I agree with the views of those around the House who believe that that research is flawed. It should not cause us to change direction on the matter. As I have outlined today, we have considerable evidence of a much more reliable standard from other jurisdictions than the document that the Minister gave me on Thursday.

Clause 6 sets out for us the best way forward on prostitution law reform. I am delighted that it is supported by such a broad section of Northern Ireland society, including organisations such Women's Aid, the Irish Congress of Trade Unions, the hugely impressive Turn Off The Red Light campaign, the Evangelical Alliance, the Catholic Church, SPACE International and the Northern Ireland Human Rights Commission. They have come out in favour of the approach that I have outlined.

I am also overwhelmed by the positive response to the Ipsos MORI poll: 78% in support was far greater than I imagined. I am particularly encouraged that that rises to 82% amongst young people. I am also encouraged to see the support that it is gaining internationally. I noted with interest that, in February this year, the European Parliament voted overwhelmingly for the Honeyball report — 349 votes to 139 — which supported criminalising paying for sex, and that, in April this year, the Council of Europe voted overwhelmingly — 82 to 17 — for the Mendes Boata report, which supports criminalising paying for sex. Other countries, such as Canada, are going down the same route. Members, I believe that this is the right approach to take and I believe that we have the evidence to go forward.

10.45 pm

I will end with a quote from ACC Drew Harris. Speaking to the Justice Committee in February, he said:

> *"A demand now exists for prostitutes, for prostitution in our society and on the island of Ireland as a whole. Crime gangs regard it as high-yielding in hard cash and of low risk."*

I hope that the Bill will start changing that situation and I urge Members across the House to vote in favour of clause 6.

Before we come to the question of the vote on whether clause 6 should stand part of the Bill, let me set out the details of the amendments I have tabled and make some comments on the other amendments tabled. There are nine amendments in this group that I have put forward to improve the operation of the clause — amendment No 28 and amendment Nos 30 to 37. It is important to state at the outset that all the amendments I am proposing to the clause have been accepted as legally accurate and workable by the Attorney General.

The amendments I am proposing to clause 6 cover different areas. The first relates to payments. Amendment No 28 inserts a new clause 6(1A). This amendment ensures that the definition of payments set out in article 58 of the Sexual Offences (Northern Ireland) Order 2008 does not apply to the new offence of paying for the sexual services of a person. Subsection 3 of the clause contains a definition of "payment" that is to be used for the offence, but, for clarity, the Attorney General advised me that it should also be made clear that the article 58 definition of "payment" does not apply.

Amendment No 34 makes it clear that, in addition to an offence taking place if the payment is offered to the person offering the sexual service, an offence will also take place if the payment is made to someone controlling the person.

Amendment No 35 amends the definition of "payment" in subsection 3 of the clause. This was done to ensure that the clause actually achieved its intended effect. The Attorney General advised me that this phrase could unintentionally broaden the clause to include activities that there was no intention to criminalise, specifically, situations of mutually exchanged sexual activity where no other form of payment, material or financial, had been exchanged, but which could under the law have been viewed as a reciprocal exchange of sexual services. Consequently, I proposed the amendment.

Amendment No 30 deletes the phrase "over the age of 18" from revised article 64A(1). I have proposed this amendment to remove the anomaly, which was highlighted by the Northern Ireland Human Rights Commission, whereby if an individual paid for sex with a child, which is a criminal offence under article 37 of the Sexual Offences (Northern Ireland) Order 2008, it would actually be harder to convict a person charged with that offence than it would be to convict someone charged under the proposed article 64A. This is because, if an individual is charged with paying for sex with a person under the age of 18, they can argue that they reasonably believed that the child was over 18. If that defence were successful, the prosecution would fail and no other prosecution route would be available, whereas, if the person had paid for sex with someone over the age of 18, no such defence would be available. Members will not be surprised to hear that that is not what I intended to do when I introduced clause 6 of my Bill. The Attorney General advised me that the best way to solve that problem was simply to delete the phrase "over the age of 18" from the clause.

Amendment Nos 31 and 32 would insert new wording into revised article 64A(2)(a) of the offence to mandate that, if someone is found guilty of paying for sexual services on summary conviction, most commonly in the Magistrates'

Court, they may be imprisoned for a term not exceeding six months, receive a fine, or both.

Amendment No 33 would insert new wording to 64A(2)(b) to mandate that a prison term of up to one year or a fine can be applied following a conviction under indictment. The amendment clarifies that a custodial sentence may be imposed on conviction under summary and indictment judgements, differentiating the maximum sentence available in the different courts.

Amendment No 36 introduces a new subsection 3A to the offence. This measure is introduced to deal with the claims that clause 6 could criminalise lap dancing or sexual services using methods of communication such as telephones or webcams. The amendment ensures that the two individuals have to be physically in each other's presence and that the actual physical touching by one party of the other is required. Again, this amendment has been checked by the Attorney General, and he informs me that the amendment will rule out clause 6 applying in these situations.

Amendment No 37 would introduce a new subsection 5, which would require an advertising campaign to ensure public awareness of the change effected by clause 6. To my mind, that amendment is crucial to the success of the approach introduced by clause 6. We need to make it clear to our society that paying for sex is unacceptable. Such advertisement, which played an important role when the law was changed in Sweden, is necessary to ensure that people are aware of the law, why it has been passed and how it now works.

I will turn now to address the other amendments to clause 6. Amendment No 29, proposed by Sinn Féin, would repeal the offence of loitering or soliciting for the purposes of prostitution. I am aware that some Members might have concerns that that amendment amounts to a wholesale decriminalisation of prostitution. Let me reassure Members that that is not the effect of this provision; if it were, I would resist it strongly. What the amendment does is remove the single offence of soliciting on the street for the purpose of selling sex. The existing law does little to address off-street prostitution. In this regard, clause 6 is a vast improvement since it addresses prostitution in all contexts on and off street. Moreover, it is worth emphasising that the amendment does not remove the more serious prostitution offences to do with brothel-keeping and controlling prostitution for gain where one person makes a profit through the prostitution of another. In practice, as Assistant Chief Constable Drew Harris told the Committee for Justice, although there is some very limited on-street prostitution in Northern Ireland, in the vast majority of cases, it is off street. The offence has a limited reach and, in practice, is seldom used. According to data that has been received from the PSNI under a freedom of information request, not a single arrest was made for soliciting for the purposes of prostitution between 2009 and 2013.

It is well understood by academics that those in street prostitution are among some of the most vulnerable people involved in prostitution as a whole. Given that the intention of my Bill is to address exploitation, and in light of the limited practical usage of the soliciting offence, I am content to accept the amendment.

I will speak briefly about amendment No 38, which is also proposed by Sinn Féin. This amendment relates to the provision in subsection 6 of the new offence requiring the Department of Justice to review the data on the operation of the offence and to report to the Assembly. Amendment No 38 sets out specific matters for consideration in that report, namely the nature of trafficking into prostitution, the number of arrests and convictions under the clause 6 offence and the new consolidated trafficking and slavery offences in this Bill, and finally the impact of the offence on those in prostitution. The matters listed in the amendment are all subjects that I would have expected to be covered in a report under subsection 6, but I am very happy to accept this amendment.

I should also make some comments about amendment No 39, which introduces a new clause 6A to increase the time limit for investigating the current article 64A offence to three years. In the event that the House decided to reject clause 6, I would support the Minister's amendment. It is manifestly obvious that giving the police three years to investigate this offence rather than six months will make the current offence more effective. However, as I set out in detail at the beginning of my speech, I want to be very clear that I do not believe that this measure goes far enough. I do not believe that this caveated offence will ever be an effective deterrent against purchasing sexual services in Northern Ireland. Even with the increased time for investigation, it will prove very difficult for the police and prosecution services to convict many individuals for this offence. My prediction is that, if the Assembly supports amendment No 39 over clause 6, we will be back looking at the issue in the future once it becomes apparent that this approach simply does not go far enough.

Mr Ford (The Minister of Justice): A lot has been said on this particular group of amendments. I will try to be finished by midnight.

Perhaps I should start with some of the amendments to clause 6, which did not get an awful lot of attention during the general debate but which have just been referred to by Lord Morrow in some detail.

Certainly, as he highlighted, amendment No 28 is a fairly technical amendment. If clause 6 were to be passed, I would have no particular issues with it. Amendment No 29, as he correctly highlights, repeals the offence of soliciting on the street in circumstances where we know that there are virtually no women working on the streets these days; prostitution tends to be conducted in a different way, such as in a building or advertised on the Internet. The estimate from the Queen's research was that no more than 20 women are working the streets of Northern Ireland. So, by removing that vestige of criminalisation of women, it seems to be in keeping with the proposals of clause 6. However, it is the case that there are other aspects where women may still be criminalised. Lord Morrow referred to brothel-keeping. As I understand the law, it currently prescribes that, if two women are working together, that constitutes a brothel. It may be that those who propose that particular amendment might wish to revisit some of those aspects, because it seems to me that there is a difference between two women working together in the interests of protection and those who are working in a brothel controlled by pimps.

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

For amendment No 30, Lord Morrow has highlighted the issue of removing the age limit of 18. That is an issue that I see no difficulty with whatsoever. The reality is that there

are laws on the statute book that deal with the issue. The current law on paying for the sexual services of a prostitute subjected to force applies with no lower age limit, and there are much more serious offences regarding paying for the sexual services of a child, which can actually carry a maximum penalty of up to life imprisonment. Whilst I see nothing wrong with the amendment, it does not add very much, given the offences that already exist. However, the House may well see fit to pass it anyway.

As Lord Morrow highlighted, amendment Nos 31, 32 and 33 relate to penalties. If I am opposing clause 6, it would seem illogical to oppose an increase in the penalties that fall within that. I suspect that other Members will perhaps take their advice from Lord Morrow and not from me.

Amendment Nos 34 and 35 deal with payments, whether through a third party or, as Lord Morrow put it, for mutually-exchanged sexual services. Again, if those amendments are to be passed, I see no reason why those should be abolished.

Amendment No 36 addresses one key concern raised by some of us who have difficulties with the way that clause 6 was opposed. It certainly removes things such as webcam sex or telephone sex. What I am not sure that it necessarily does, although he highlighted it specifically, is relate to issues such as lap dancing. There may be issues that would need to be revisited at Further Consideration Stage in that respect as well. If what he is seeking to do is remove some of the non-physical aspects of sexual services, it is clear that the amendment as it currently stands is doing that. I am not sure that it goes quite as far as he believes it does, and I am happy to discuss that with Lord Morrow, if the amendment goes through, to see whether further refinement to it might be appropriate at a later stage.

The specific issue I have some difficulty with is in amendment No 37. I really have my doubts as to whether we need to have an advertising campaign to raise public awareness of this issue. If this issue is not the one that has attracted the greatest attention from the work done by the Assembly over many years, I would be very surprised. I think that few people would be unaware of the debate or the consequences of the debate, assuming that we finish in time for the morning news bulletins.

Therefore, I have a little difficulty with the suggestion of an advertising campaign. We are well publicising this issue.

11.00 pm

There is also a minor technical detail. There are at least one or two Ministers and former Ministers in the House at the moment. As I understand, under the Executive policy, there is a specific bar on advertising campaigns in general on an economic basis. I believe that the single exception is road safety campaigns; if the Minister of the Environment were here, he might keep me right on that point. So, it runs contrary to policy. I believe that it is possible to publicise what is being done in the fight against trafficking through the kind of work that my staff did when they ran a stall at St George's Market on Saturday and the work being done by our NGO engagement partners and elements of the Organised Crime Task Force. I do not feel that paying for advertising is necessary to ensure that we raise awareness, although I entirely agree that we need to raise awareness.

Amendment No 38 looks at the issue of what might be included in the annual report that the Department must publish. I have no problem with its general principle. There are some slight issues that might require amendment at Further Consideration Stage if the House is minded to support this. If that is the case, I would certainly be happy to discuss with Lord Morrow and Mr McCartney whether some fine-tuning would make it a better amendment than it currently is. However, I am happy with the principle of it as it stands.

It is clear that the issue of prostitution has exercised Members more than the other aspects of the Bill. The fact that we put through 28 amendments in the first group with virtually no dissent anywhere but have had 19 Members speak in the debate on this particular group shows that it is a significant issue. It is clearly a moral issue for many of us. One Member said that he had moral difficulties. I do not think that many of us have moral difficulties in our concerns about prostitution. The issue is the best way to address it.

There are clearly attractions in voting for the proposal as it stands. I doubt that any of us thinks that prostitution is a good thing. In particular, no one wants to see women being subjected to fear, violence, coercion of any kind, threats or the circumstances that forced them into selling sex against their will. That is an issue that is morally reprehensible and that we would all wish to address. No one wants to imagine what that must be like. No one wants to imagine the society that permits men to use women in such a way. On that, we are all agreed. However, the issue is the best and most effective way of dealing with this that deals with trafficking and exploitation and does not become a catch-all that may have problems elsewhere.

Let me just refer briefly to some of the points that have been made during the debate. I will not attribute them to individuals since many of them were made by a number of people.

Whilst clearly there is evidence from groups such as Women's Aid that the women that they see are abused and exploited, whether for sexual services or other things, there is evidence from the research that Queen's provided for us that shows that, for some, entry into prostitution is an issue of choice. That is not something that is attractive or that we wish to hear, but it is a fact. There is no doubt that there are normative effects of a law. However, I think that there are issues around drink-driving, for example, that were accepted to be inappropriate antisocial behaviour at the point that specific breath test limits were introduced and so on. That is different from this. Frankly, it is also the case that those kind of normative effects work when you are trying to lead a large body of society.

Mr Principal Deputy Speaker: I appeal to Members that we should acknowledge that the Minister has served a heroic stint throughout this debate. He has listened to us. I think that we should listen to him.

Mr Ford: Thank you, Mr Principal Deputy Speaker. The normative effects may apply when there is a body of opinion in society around a change being needed. We know from the statistics from the Queen's research that roughly only 3% of men in Northern Ireland use the services of a prostitute in the course of a year. That is very different from the normative effect where you are seeking to alter the opinions of 25% or 30% of the population.

We also know that there is a variety of different reports on the effects of the Swedish experience. My visit to Stockholm established different views between some of the public agencies, the police and prosecutors, and some of those who were working in support of women involved in prostitution. It was not that clear-cut. What was clear is that the proportion of men who use prostitutes in Sweden is higher than it is in Northern Ireland, despite the law. The number of complaints stood at 1,277 in 2010. That is a significant number of complaints for something that is supposed to have had a significant effect. It may have had an effect, but I also noticed that not one Member — unless they did so during one of my more sleepy moments — made any reference to the point that I made about telephone intercept evidence being a key part of the way in which the Swedish police fight the use of prostitutes. That would simply be impossible within our standards. It would be appropriate to use such telephone intercepts if we were talking about serious organised crimes, though I am happy to say that it would not be the Minister of Justice who would authorise them, if we were talking about trafficking on a scale. It would not be appropriate to use them against ordinary clients or ordinary punters. So, there are real issues with the difficulties that we have that have not been addressed.

It is clear that there is a link into prostitution for women who are trafficked, but it is not clear that prostitution goes back the same way into the issue of trafficking, in general.

I move now to the police position. Nobody has said that the police said that the law would be unenforceable. As Members have said, it is the role of the police to enforce the law as we make it. Police officers, including Deputy Chief Constable Drew Harris, have said that it is hard to quantify how much of a deterrent this law would be. They have said that their focus would be on organised crime groups and serious harm, which is what I, as Minister of Justice, would hope their focus would be on at any time. The evidential opportunities are limited, certainly if evidential opportunities rely on the word of the prostitute. There is also a qualification about impact.

A number of Members, particularly from the DUP Benches, questioned the research that was published last week by my Department, and there were allegations of bias. I certainly regret the time it takes to procure research under our arcane system, which requires multiple tenders and so on. It is unfortunate, but I asked for it to be produced in order to inform the debate. I hoped that Members would have read it for reasons other than to seek something to object to within it.

Comments were made about the research being biased. I consider that those comments impugn the reputation of those who conducted the research. I leave it to Queen's, the University of Berlin and UCG to make their response to that. I believe that it is entirely possible for an academic — and, sometimes, easier than it is for a politician — to have a view yet honestly represent the evidence that is put before them.

As detailed in the report, despite what some Members have said, detailed steps were taken to guard against confirmation bias — the idea that you ensured that the interpretation of data comes out to support pre-existing views. The details of that are set out in chapter 2 of the report, but nobody referred to it. It acknowledges, honestly, the problems that the survey methods were likely to result in, and it makes allowances for them. The number of people who were involved in the online survey, and the detailed interviews that were held with sex workers, clients, experts and service providers, give us a good picture of what the situation is in Northern Ireland, allowing for the fact that many workers and clients are mobile between the different jurisdictions of these islands and, indeed, further afield. Obviously, the websites on which much of the advertising takes place are not confined to one jurisdiction.

Contrary to what some have suggested, the report does not make recommendations. It analyses and reports findings, as it was asked to do. The research was quantitative and qualitative, and, for the first time, it had a focus on Northern Ireland and our particular concerns. I have no doubt that it did not make comfortable reading for many of us, but many Members may have found that it challenged the stereotypical picture of the sex industry.

I do not believe that we can ignore the voices that we heard. We have a responsibility to ensure that what we put into law is not going to make the lives of women, predominantly, and, as others have said, some men who are involved in the sex trade, more difficult or more dangerous. It is clear that many of those who are involved in the sex trade selling sexual services have made an independent, informed choice. That is clearly not the picture for all, but it is clearly the picture for some. We have to ensure that we fully support the measures that target those who are exploiting others and which provide support to those who are involved in the sex trade who are subject to force and coercion. That is what I believe we can do without clause 6 as it stands.

In summary, there are two large pieces of the jigsaw missing from the picture that has been painted today. I believe that those are two major flaws in the policy arguments that we have so far heard about letting this clause stand part of the Bill. One is that we now have evidence from the survey to show that criminalisation will not depress the market. The research report quotes the figure that only 16% of buyers would be prepared to change their behaviour if this law were enacted. We also have seen evidence that over 60% of women selling sexual services fear that criminalisation will make their lives more risky. In addition, we continue to see that there are major problems in enforcing such an offence. Those are problems that have been highlighted in a number of different areas, and I repeat the point that telephone intercepts may work in Sweden and may work against those involved in organised crime, but we could not use them against the individual punters. Resources will have to be devoted to the area in which we all want to see action taken, against those who engage in organised crime and organised trafficking.

My Department will be studying the research commissioned by Queen's and other relevant evidence on the wider issue of prostitution in Northern Ireland. I will consider what legislative change is necessary or appropriate for Northern Ireland in the future, but, at this stage, I remain unconvinced that clause 6 will be the appropriate way to move forward. However, if it is the case that the House is minded to support that, I will certainly look to make the adjustments that I have highlighted in some of my comments, working, as we have done over a period of months with Lord Morrow and with the

proposers of some of the other amendments, at Further Consideration Stage.

Finally, in conclusion on this point, I emphasise that my amendment No 39 and the insertion of new clause 6A is not an alternative to clause 6. I believe that it is something that is entirely appropriate to stand, even if clause 6 goes ahead. It may or may not be effective, but there is nothing to suggest that it is not as well worth doing as many as the other amendments to clause 6. So, I trust that we can unite around amendment No 39, whatever minor differences we may have at the point earlier. We are all agreed on the principle. The unfortunate thing is that we have not yet seen the evidence on how we can agree on the method.

Mr Principal Deputy Speaker: Members, although we have debated opposition to clause 6, we must first dispose of the amendments to the clause before putting the question on clause 6 stand part. Amendment No 28 made: In page 3, line 26, at end insert

"(2) In Article 58 (Interpretation of this Part) at the end of paragraph (3) insert "other than in Article 64A".".— [Lord Morrow.]

Amendment No 29 made: In clause 6, page 3, line 26, at end insert

"(2) Article 59 (Loitering or soliciting for purposes of prostitution) is repealed.".— [Mr McCartney.]

Amendment No 30 made: In clause 6, page 3, line 31, leave out "over the age of 18".— *[Lord Morrow.]*

Amendment No 31 made: In clause 6, page 3, line 35, after "to" insert

"imprisonment for a term not exceeding 6 months or".— [Lord Morrow.]

Amendment No 32 made: In clause 6, page 3, line 36, after "scale" insert ", or both".— *[Lord Morrow.]*

Amendment No 33 made:

In clause 6, page 3, line 37, before "to imprisonment" insert "on conviction on indictment".— *[Lord Morrow.]*

Amendment No 34 made:

In clause 6, page 3, line 39, after "advantage" insert

"to B or any person other than B".— [Lord Morrow.]

Amendment No 35 made:

In clause 6, page 3, line 41, leave out "(including sexual services)".— *[Lord Morrow.]*

Amendment No 36 made:

In clause 6, page 3, line 41, at end insert

"(3A) No offence is committed under this article unless the sexual services that are provided or are to be provided by B to A involve—

(a) B being physically in A's presence,

(b) B touching A or A touching B, and

(c) the touching is sexual.".— [Lord Morrow.]

Amendment No 37 made:

In clause 6, page 4, line 4, leave out "must raise awareness of this offence." and insert

"shall conduct an advertising campaign to ensure public awareness of the change effected by this section.".— [Lord Morrow.]

Amendment No 38 made: In clause 6, page 4, line 7, at end insert

"(7) In particular the report must set out—

(a) information on the nature and extent of prostitution connected to human trafficking including numbers of arrests and convictions during the period covered by the report in connection with an offence under this Article or section 1A, 1B or 1D of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Act (Northern Ireland) 2014;

(b) the extent to which, in the opinion of the Department, this Article has operated to reduce human trafficking; and

(c) the impact of this Article on the safety and well-being of prostitutes.".— [Mr McCartney.]

Question put, That the clause, as amended, stand part of the Bill.

The Assembly divided:

Ayes 81; Noes 10.

AYES

Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.

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

NOES

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea.

Tellers for the Noes: Mr Dickson and Mr McCarthy.

Question accordingly agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Amendment No 39 not moved.

New Clause

Amendment No 40 made:

After clause 6 insert

"Offence of forced marriage

Offence of forced marriage

***6B**.—(1) A person commits an offence if he or she—*

(a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into a marriage, and

(b) believes, or ought reasonably to believe, that the conduct may cause the other person to enter into the marriage without free and full consent.

(2) It is irrelevant whether the conduct mentioned in paragraph (a) of subsection (1) is directed at the victim of the offence under that subsection or another person.

(3) In relation to a victim who is incapable of consenting by reason of mental disorder, the offence under subsection (1) is capable of being committed by any conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).

(4) In this section—

'marriage' means any religious or civil ceremony of marriage (whether or not legally binding);

'mental disorder' has the meaning given by the Mental Health (Northern Ireland) Order 1986.

(5) A person commits an offence if he or she—

(a) practises any form of deception with the intention of causing another person to leave the United Kingdom, and

(b) intends the other person to be subjected to conduct outside the United Kingdom that is an offence under subsection (1) or would be an offence under that subsection if the victim were in Northern Ireland.

(6) A person commits an offence under subsection (1) or (5) only if, at the time of the conduct or deception—

(a) the person or the victim or both of them are in Northern Ireland,

(b) neither the person nor the victim is in Northern Ireland but at least one of them is habitually resident in Northern Ireland, or

(c) neither the person nor the victim is in the United Kingdom but at least one of them is a UK national.

(7) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.".— [Mr Hamilton (The Minister of Finance and Personnel).]

New clause ordered to stand part of the Bill.

Mr Principal Deputy Speaker: Opposition to clause 7 has already been debated.

Question, That the clause stand part of the Bill, put and negatived.

Clause No 7 disagreed to.

Clause 8 (Victim of trafficking in human beings)

Mr Principal Deputy Speaker: We now come to the fourth debate, which concerns amendment Nos 41 to 49 and 51to 53 as well as opposition to clauses 8, 9, 10, 12 and 14 standing part. These amendments deal with new duties on the Department to provide support, assistance and protection to potential victims of trafficking, and support for those wishing to exit prostitution. This group also deals with proposals for a child trafficking guardian or independent legal guardian. Members will note that amendment No 41 is mutually exclusive with clause 9 standing part. Amendment No 42 is mutually exclusive with clause 10. Amendment Nos 46 and 47 are mutually exclusive with clause 12 and with each other. Amendment No 48 is mutually exclusive with clause 8 ,and amendment No 53 is mutually exclusive with clause 14 standing part.

If that is perfectly clear, I call Lord Morrow to speak to clause 8 stand part 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 41:After clause 9 insert

*"**Interpretation of this Part***

***9A**.—(1) For the purposes of this Part there is a conclusive determination that a person is, or is not, a victim of trafficking in human beings when, on completion of the identification process required by Article 10 of the Trafficking Convention, a competent authority concludes that the person is, or is not, such a victim.*

(2) In this Part—

"competent authority" means a person who is a competent authority of the United Kingdom for the purposes of the Trafficking Convention;

"the Trafficking Convention" means the Council of Europe Convention on Action against Trafficking in Human Beings (done at Warsaw on 16 May 2005);

"trafficking in human beings" has the same meaning as in the Trafficking Convention.".— [Lord Morrow.]

No 42: After clause 10 insert

*"**Assistance and support pending determination by competent authority***

***10A**.—(1) The Department must ensure that a person to whom this section applies is provided with assistance and support in accordance with this section.*

(2) This section applies to a person if—

(a) that person is aged 18 or over or, in a case where the age of the person is uncertain, the Department reasonably believes that person is aged 18 or over; and

(b) a reference relating to that person has been, or is about to be, made to the competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the person is a victim of trafficking in human beings.

(3) Assistance and support is to be provided under this section until there is made in relation to that person—

(a) a determination that there are not reasonable grounds to believe that the person is a victim of trafficking in human beings; or

(b) a conclusive determination that the person is or is not a victim of trafficking in human beings;

but if a conclusive determination that a person is a victim of trafficking in human beings is made within the relevant period, assistance and support is to be provided until the end of that period.

(4) The relevant period is the period of 45 days from the date on which the determination mentioned in subsection (2)(b) is made by the competent authority.

(5) Assistance and support provided to a person under this section—

(a) must not be conditional on the person's acting as a witness in any criminal proceedings;

(b) must only be provided with the agreement of that person;

(c) must be provided in a manner which takes due account of the needs of that person as regards safety and protection from harm;

(d) must be provided to meet the assessed needs of that person, having regard in particular to any special needs or vulnerabilities of that person caused by gender, pregnancy, physical or mental illness, disability or being the victim of serious violence or serious abuse.

(6) Assistance and support under this section must be offered from a person who is of the same gender as the person receiving it.

(7) The assistance and support which may be provided under this section includes, but is not be restricted to, the provision of—

(a) appropriate and safe accommodation;

(b) material assistance (including financial assistance);

(c) assistance in obtaining healthcare services (including counselling);

(d) appropriate information on any matter of relevance or potential relevance to the particular circumstances of the person;

(e) translation and interpretation services;

(f) assistance in obtaining legal advice or representation;

(g) assistance with repatriation.

(8) Where assistance and support has been provided to any person under this section, it may continue to be provided even if that person leaves Northern Ireland.

(9) Where—

(a) assistance and support has been provided to a person under this section; and

(b) that person ceases, by virtue of a conclusive determination that the person is a victim of trafficking in human beings or the ending of the relevant period, to be a person to whom assistance and support is to be provided under this section,

the Department may nevertheless ensure that assistance and support continues to be provided to that person under this section for such further period as the Department thinks necessary.

(10) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.".— [Lord Morrow.]

No 43: After clause 10 insert

*"**Assistance and Support for Exiting Prostitution***

***10B**.—(1) The Department of Health, Social Services, and Public Safety must ensure that there is a programme of assistance and support made available to a person who wishes to leave prostitution.*

(2) Assistance and support provided under this section—

(a) is not conditional on the person's willingness to act as a witness;

(b) shall be provided with the agreement of the person; and

(c) shall take due account of the victim's safety and protection needs, including being offered assistance from a person of the same gender.

(3) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.

(4) For the purposes of this section "prostitution" has the same meaning as in Article 58 of the Sexual Offences (Northern Ireland) Order 2008.".— [Lord Morrow.]

No 44: After clause 10 insert

*"**Strategy on assistance and support for exiting prostitution***

***10B**.The Department of Health, Social Services and Public Safety shall, at least once in every year, publish a strategy, in conjunction with other government departments, to ensure that a programme of assistance and support is made available to a person who wishes to leave prostitution.".— [Mr McCartney.]*

No 45: In clause 11, page 6, line 19, leave out from ", by order" to end of line 25 and insert

"issue guidance as to—

(a) the procedures to be followed by a person to whom this section applies to apply for compensation under the Criminal Injuries (Compensation) (Northern Ireland) Order 2002;

(b) the grounds on which compensation may be awarded under that Order; and

(c) the arrangements available to assist and support such a person in applying for such compensation.

(3) This section applies to a person if (and only if) there has been a conclusive determination that the person is a victim of trafficking in human beings.".— [Lord Morrow.]

No 46: After clause 12 insert

*"**Child trafficking guardian***

***12A**.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (a "child trafficking guardian") to be appointed to assist, represent and support a child to whom this section applies.*

(2) This section applies to a child if—

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim;

and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined.

(3) Arrangements under this section must—

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the child trafficking guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person—

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of a child trafficking guardian only where the person with parental responsibility for the child—

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of a child trafficking guardian, including in particular provision for such termination—

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the child trafficking guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for—

(a) the training and qualifications required for a person to be eligible for appointment as a child trafficking guardian;

(b) the support to be provided for, and the supervision of, a child trafficking guardian.

(5) A child trafficking guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of a child trafficking guardian include (where appropriate)—

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for—

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom a child trafficking guardian has been appointed under this section must recognise, and pay due regard to, the functions of the child trafficking guardian and must (to the extent otherwise permitted by law) provide the child trafficking guardian with access to such information relating to the child as will enable the child trafficking guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on child trafficking guardians.

(9) The arrangements under this section may provide for a child trafficking guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section—

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order).".— [Lord Morrow.]

No 46: After clause 12 insert

*"**Child trafficking guardian***

***12A**.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (a "child trafficking guardian") to be appointed to assist, represent and support a child to whom this section applies.*

(2) This section applies to a child if—

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim;

and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined.

(3) Arrangements under this section must—

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the child trafficking guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person—

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of a child trafficking guardian only where the person with parental responsibility for the child—

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of a child trafficking guardian, including in particular provision for such termination—

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the child trafficking guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for—

(a) the training and qualifications required for a person to be eligible for appointment as a child trafficking guardian;

(b) the support to be provided for, and the supervision of, a child trafficking guardian.

(5) A child trafficking guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of a child trafficking guardian include (where appropriate)—

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for—

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom a child trafficking guardian has been appointed under this section must recognise, and pay due regard to, the functions of the child trafficking guardian and must (to the extent otherwise permitted by law) provide the child trafficking guardian with access to such information relating to the child as will enable the child trafficking guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on child trafficking guardians.

(9) The arrangements under this section may provide for a child trafficking guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section—

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order).".— [Lord Morrow.]

No 47: After clause 12 insert

*"**Independent Legal Guardian***

***12A**.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (an "Independent Legal Guardian") to be appointed to assist, represent and support a child to whom this section applies.*

(2) This section applies to a child if—

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim; and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined; or

(c) there is reason to believe that the person is a separated child, in which case the person shall be presumed to be a separated child.

(3) Arrangements under this section must—

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the Independent Legal Guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person—

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of an Independent Legal Guardian only where the person with parental responsibility for the child—

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of an Independent Legal Guardian, including in particular provision for such termination—

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the Independent Legal Guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for—

(a) the training and qualifications required for a person to be eligible for appointment as an Independent Legal Guardian;

(b) the support to be provided for, and the supervision of, an Independent Legal Guardian.

(5) An Independent Legal Guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of an Independent Legal Guardian include (where appropriate)—

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for—

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom an Independent Legal Guardian has been appointed under this section must recognise, and pay due regard to, the functions of the guardian and must (to the extent otherwise permitted by law) provide the guardian with access to such information relating to the child as will enable the guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on Independent Legal Guardians.

(9) The arrangements under this section may provide for an Independent Legal Guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section—

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order);

"separated child" means a child who is outside their country of origin and has been separated from both parents, or from their previous legal or customary

care giver, but not necessarily from other relatives. This may include children who have been trafficked, enslaved or exploited but are accompanied by other adults including community members, friends or members of their extended family.".— [Mr McCartney.]

No 48: After clause 12 insert

*"**Defence for slavery or trafficking victims compelled to commit an offence***

***12B**.—(1) Subject to subsection (9), a person is not guilty of an offence if—*

(a) the person is over the age of 18 when the act which constitutes the offence was done;

(b) the person does that act because the person is compelled to do that act,

(c) the compulsion is attributable to slavery or to relevant exploitation, and

(d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act.

(2) "Relevant characteristics" means age, sex and any physical or mental illness or disability.

(3) A person may be compelled to do something by another person or by the person's circumstances.

(4) Compulsion is attributable to slavery or to relevant exploitation only if—

(a) it is, or is part of, conduct which constitutes an offence under section 1A or conduct which constitutes relevant exploitation, or

(b) it is a direct consequence of a person being, or having been, a victim of an offence under section 1A or a victim of relevant exploitation.

(5) For the purposes of subsection (4) "relevant exploitation" is exploitation (within the meaning of section 1C) that is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(6) Subject to subsection (9), a person is not guilty of an offence if—

(a) the person is a child at the time the act which constitutes the offence is done; and

(b) that act was done as a direct consequence of the person being, or having been, a victim of an offence under section 1A or of relevant exploitation.

(7) For the purposes of subsection (6) "relevant exploitation" is exploitation which falls within one or more of subsections (2) to (5) of section 1C and is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(8) In this section references to an act include an omission.

(9) This section does not apply to an offence which, in the case of a person over the age of 21, is punishable on indictment with imprisonment for life or for a term of at least 5 years, other than any of the following offences under the Misuse of Drugs Act 1971—

(a) an offence under section 4(2) committed in respect of a Class B or Class C drug;

(b) an offence under section 5(2) committed in respect of a Class B drug;

(c) an offence under section 6(2).

(10) The Department may by order amend subsection (9).".— [Lord Morrow.]

No 49: In clause 13, page 8, line 6, leave out "chief officer of police" and insert "Chief Constable".— *[Lord Morrow.]*

No 51: In clause 13, page 8, line 21, leave out "professionals" and insert "persons".— *[Lord Morrow.]*

No 52: In clause 13, page 8, line 28, leave out "a reasoned decision" to end of line 29 and insert

"the police officer in charge of the investigation decides to the contrary and records the reasons for that decision in writing.".— [Lord Morrow.]

No 53: After clause 14 insert

*"**Special measures: amendments to the Criminal Evidence (Northern Ireland) Order 1999***

***14A**.—(1) The Criminal Evidence (Northern Ireland) Order 1999 is amended as follows.*

(2) In Article 3 after paragraph (1) insert—

"(1A) In this Order "a slavery or human trafficking offence" means an offence under—

(a) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour); or

(d) section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude, forced or compulsory labour and human trafficking).".

(3) In Article 5(4) (witnesses eligible for assistance on grounds of fear or distress about testifying) after "sexual offence" insert "or a slavery or human trafficking offence".

(4) In Article 13(4)(a) (evidence given in private) after "sexual offence" insert "or or a slavery or human trafficking offence".

(5) In Article 21 (interpretation etc. of Part 2) after paragraph (4) insert—

"(5) For the purposes of this Part as it applies in relation to a witness who is the complainant in respect of a slavery or human trafficking offence, where the age of the witness is uncertain and there are reasons to believe that the witness is under the age of 18, that witness is presumed to be under the age of 18.".

(6) In Article 22 (complainants in proceedings for sexual offences) after "sexual offence" insert "or a slavery or human trafficking offence".

(7) In Article 23 (child complainants and other child witnesses) in paragraph (3) for sub-paragraph (cc) substitute—

"(cc) a slavery or human trafficking offence;".

(8) In Article 39 (general supplementary provisions) after paragraph (2) insert—

"(3) Paragraph (2) is subject to Article 21(5).".".— [Lord Morrow.]

Lord Morrow: Thank you, Mr Principal Deputy Speaker. This group of amendments covers clauses in Part 2 to meet international obligations on assistance and support for trafficking victims, and Part 3, which sets out protections for victims within the criminal justice system. I start — *[Interruption.]*

Mr Principal Deputy Speaker: Order. Sorry, Lord Morrow, please continue.

Lord Morrow: — by seeking the Assembly's agreement to remove clause 8, which seeks to ensure that trafficking victims who committed an offence as a result of being a victim of trafficking should not be prosecuted. It proved to be a clause that gave rise to a lot of concern.

After listening carefully to the evidence given to the Justice Committee, I propose to remove clause 8 and add new clause 12B, which would introduce a statutory defence in its place. Let me provide some context on how I came to this position.

I was reluctant to concede any ground on clause 8 because of the concerns of notable NGOs, such as the Anti-Trafficking Monitoring Group, the Law Centre and the Centre for Social Justice, about the prosecution of victims that was taking place. Nevertheless, this was the one clause that the Justice Committee was not able to support in its report, even though it supported the principle.

The Committee's report sets out in detail the comments and concerns about the clause at paragraphs 201-260. I think that I can fairly summarise those concerns, which were that the clause would give blanket immunity to victims of trafficking and setting out a hierarchy of victims. There was a concern that, even if a victim committed a murder, they would not be prosecuted. That was not my intention, but it raised sufficient concerns to warrant further consideration.

I think it safe to say that Members from all sides of the House were sympathetic to the objective of clause 8; it was the detail that ran into difficulties. It is of real importance that victims of human trafficking, who are some of the most vulnerable people in this country, should not be criminalised for offences that they commit as a direct consequence of being trafficked. However, that should have certain limits, and I acknowledge that the clause as initially drafted was flawed in the breadth of offences that it covered.

I informed the Justice Committee, when I gave evidence before it in March, that I would wait to see how the Modern Slavery Bill, which is passing through Westminster, dealt with the subject of non-prosecution. The version of the Bill that was presented to the House of Commons in July this year for its First Reading included, in clause 39, a defence for slavery or trafficking victims compelled to commit an offence. That clause would allow human trafficking victims in England and Wales to raise a defence if they were accused of certain criminal offences that they were forced to commit as a result of being trafficked. That defence could not be used for serious violent offences or sexual offences but could apply to crimes such as cannabis cultivation. Following discussions with the Attorney General and the Department of Justice, it was agreed that a similar clause could be implemented in Northern Ireland. I will cover the detail of new clause 12B later, but I reassure Members that, in removing clause 8 as it stands, I am not proposing to remove the type of protection that I was seeking for victims. I am asking the Assembly to support a different approach at a later point in the Bill. I hope that Members will support that position.

Members will see that there are significant changes to Part 2. Clause 9 was intended to be an administrative clause, setting out definitions for Part 2 on who should be regarded as a victim of trafficking under the national referral mechanism, which is the identification process that the UK uses to meet its obligations under the European Convention on Action against Trafficking in Human Beings. The wording I used was based on a definition in Westminster legislation, the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The revised definition proposed in new clause 9A, through amendment No 41, has the same effect but is set out much more succinctly than my original clause and is favoured by the Department of Justice, so I propose to remove the current clause and add a new clause in its place.

Like clause 9, the purpose of new clause 9A is to provide a definition of a victim of trafficking in order to be clear about who would and who would not be able to access the services I set out in this Part of the Bill. The current regime is that, when a person is referred to the national referral mechanism, they are provided with emergency support, and a decision will be made as to whether there are reasonable grounds to believe that they may be a victim. That is called a reasonable grounds decision. When a reasonable grounds decision is made that the person may be a victim, he or she can access 45 days of services during the so-called recovery and reflection period. There is then a second stage to the process, whereby it is concluded whether the person is a victim: a conclusive grounds decision. New clause 9A, like clause 9, defines when a conclusive determination is made and will be particularly relevant for determining when a person is eligible for compensation. The clause also provides a definition of the term "competent authority", which is also relevant for new clauses 10A and 12A.

I propose to remove the original clause 10 and replace it with a new clause 10A, through amendment No 42. This requires some explanation. In the original version of my Bill, clause 10 would have impacted a number of Departments. However, in the months following my Bill passing Second Stage, it became apparent that that clause was necessary only with regard to the Department of Justice. The Department of Health, which currently provides support to confirmed victims of human trafficking and child victims, assured me that it was going to bring forward regulations that would allow victims of human trafficking to access primary and secondary health care. I understand that the Health Committee considered the draft Provision of Health Services to Persons not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2014 in September, and we can expect them to come into operation in the coming months. To my mind, this is very much a positive step for some of the most vulnerable victims in our Province. In light of this assurance that children were covered by the Department of Health through the new regulations, I came to the view that it was sensible to remove my original clause and add a new clause, setting out what services the Department of Justice would provide to potential victims

of trafficking. My original proposal for a 90-day period of support was made in recognition that it has been widely reported that recovery from the trauma of human trafficking can be a long and painful process. I am very pleased that, through the regulations being proposed by the Department of Health, victims of trafficking with leave to remain will be able to access healthcare support for a much longer period.

11.45 pm

I am also pleased that new clause 10A, which I developed with the Department of Justice, contains discretionary powers that allow the Department to continue providing support to a particular victim beyond the usual 45-day period where the Department considers it necessary to do so. Those two elements go a long way towards addressing the longer-term needs of victims.

I hope that Members will support amendment No 42. If the Assembly chooses to pass this clause, we will be the first part of the United Kingdom to outline in statute the assistance and support provisions that all potential victims of trafficking are entitled to once they are identified. Let me run through precisely what the clause seeks to do. Clause 10A(1) outlines the requirement upon the Department for assistance and support to individuals who satisfy the requirements of clause 10A(2). Under clause 10A(2), the support provisions would apply to individuals who are 18 or over, or who are reasonably believed to be so, and who have been referred or are about to be referred into the national referral mechanism. As the Minister will no doubt point out, currently under the EU directive, the DOJ's responsibilities to provide assistance and support are triggered by a decision by an NRM-competent authority that there are reasonable grounds that an individual is a victim of trafficking. In practice, the Department of Justice already goes beyond the requirement under the directive, ensuring that support is available from the first point of contact with the potential victim. I have always agreed with that approach, and I was keen to ensure that my Bill would enshrine it in statute.

Clause 10A(3) outlines that support and assistance should be provided until either there is a determination that an individual has been given a negative reasonable grounds decision under the NRM process or an individual is granted a conclusive grounds decision confirming whether or not there is clear evidence that they are a victim of human trafficking. In cases where an individual is granted a positive conclusive grounds decision, clauses 10A(3) and 10A(4) would require the Department of Justice to continue to provide support until the end of the 45-day reflection and recovery period. That goes beyond the requirement set out by the European directive and will help to ensure that victims of trafficking in our country have the time to recover to some extent from their ordeal. By putting those amendments in law, the provisions will see Northern Ireland go further than the other parts of the UK. We will be leading the way by guaranteeing that support to victims in the long term.

Clauses 10A(5) and 10A(6) set out how the support under that clause will be provided. First, the support and assistance must not be conditional on a person acting as a witness in criminal proceedings. There are a number of different reasons why a victim of human trafficking may not want to testify in criminal proceedings. Perhaps they do not want to relive the traumatic experience that they have gone through, or perhaps they do not trust the police. Whatever the case may be for a given individual, to my mind, it is imperative that the granting of support and assistance is not conditional on a victim participating as a witness in a trial.

Secondly, the support and assistance must be dependent on the agreement of the person. If an individual does not want the support and assistance available, they cannot be forced to receive it.

Thirdly, the support and assistance must be provided in a manner that takes due account of the needs of the person as regards safety and protection from harm. A lot of evidence shows that victims of human trafficking can remain vulnerable following their identification as a victim. Consequently, the support and assistance must not lead to a risk of re-trafficking or other forms of abuse.

Fourthly, the support must be provided to meet the assessed needs of that person. In some cases, a victim will not need access to particular services. For example, if a trafficking victim's first language is English, it is unlikely that they would require translation services. This provision ensures that only appropriate services will be provided.

Fifthly and finally, under subsection 6, the support and assistance must be offered from a person of the same gender as the person receiving it. This clause has been included to consider the situation facing women in particular who may have been sexually exploited in prostitution. In the vast majority of cases, they will have been exploited by a man. I am informed by a number of charities working in the field that having a support service provided by a man can be traumatic for some of the women concerned.

Proposed clause 10A(7) sets out the types of assistance and support that should be provided under the clause, according to assessed need. There are seven areas specified in the clause: appropriate and safe accommodation; material assistance; assistance in obtaining healthcare services; appropriate information on a matter of relevance to a particular victim's own situation; translation and interpretation services; assistance in obtaining legal advice or representation; and, finally, assistance with repatriation.

Clause 10A(8) would grant the Department a discretionary power to enable it to continue to provide support to potential victims in specific cases where an individual is relocated to another jurisdiction on the advice of the PSNI. It is not difficult to envisage a case where that may occur with regard to this particular form of crime.

As I have already mentioned, clause 10A(9) would grant the Department further power, which it could use at its discretion, to continue to provide support to an individual beyond the point where a conclusive determination is made. That would only come into play when such support would be necessary. Having met some victims of human trafficking, I am aware of the complexity of some of their needs. It is imperative that the level of assistance and support is not cut off just as soon as a conclusive determination is made, if new support arrangements are not in place. It should be stressed that the clause is not envisaged as requiring the Department to provide such services in perpetuity. It is only in place to ensure that there is a smooth transition from one form of support to another.

Finally, proposed clause 10A(10) states that the requirements and powers specific to the Department of

Justice under the clause do not affect the individual's existing rights to assistance from other Departments or agencies. With those provisions outlined in statute, victims will be able to see in black and white what they are entitled to. Statutory bodies and NGOs will have a benchmark to work with in the support that victims are entitled to. Finally, the Assembly can be assured that the Department of Justice will not withdraw support and assistance for victims because it would be required to provide such support in statute. I should add that I am not suggesting that the current Minister is thinking of doing such a thing; I am thinking more of potential future holders of that office.

I am proposing a completely new assistance clause, new clause 10B, in amendment No 43, which is a testament to the benefits of our legislative process here at the Assembly. During the course of Second Stage and the subsequent contact that I had with interested charities, and in the very thorough Justice Committee scrutiny of the Bill, it became clear to me that providing support for individuals wishing to leave prostitution should go hand in hand with other measures in my Bill — in particular, clause 6. The Justice Committee stated in its report:

> *"The overwhelming majority of respondents recognised the importance of ensuring that support services were put in place for those who are in, have exited, or wish to exit prostitution."*

The importance of providing those services was raised with the Justice Committee by organisations in favour of and against clause 6. The list of organisations in support of such a measure is long, but includes the Evangelical Alliance, the Law Centre Northern Ireland and the Irish Congress of Trade Unions.

Introducing a legal model that criminalises the purchase of sexual services in conjunction with creating support programmes to assist people to exit prostitution has also been recommended by landmark resolutions from the Council of Europe and the European Parliament this year. A European Parliament resolution on sexual exploitation and prostitution and their impact on gender equality, passed on 26 February 2014, states in paragraph 42 that the European Parliament:

> *"Recognises that a vast majority of persons in prostitution would like to stop but feel unable to do so; stresses that these persons need appropriate support, particularly psychological and social assistance, to escape the sexual exploitation networks and the dependencies frequently associated with these; suggests, therefore, that the competent authorities put in place programmes to help persons escape prostitution, in close cooperation with the stakeholders".*

On 8 April 2014, the Council of Europe resolution on prostitution, trafficking and modern slavery similarly encourages member states to set up exit programmes for those who wish to give up prostitution; its aim is rehabilitation based on a holistic approach, including the provision of mental health, health care, housing support, education and training and employment services.

Academic evidence has shown that a large percentage of women in prostitution would like to leave it if they could, but they face significant barriers and there are very few specialist programmes to help them. New clause 10B will require the Department of Health, Social Services and Public Safety to ensure that a programme of assistance is available for individuals who wish to leave prostitution.

A recent study produced by experts in this field, led by Professor Roger Matthews of the University of Kent, makes a clear distinction between the effectiveness of programmes specifically focused on helping people to leave prostitution and those who are focused on supporting them through health care and harm minimisation. The study says that harm minimisation approaches tend to focus on minimising immediate harms and typically adopt a reactive approach by responding to requests for support to leave prostitution. It is the case that many existing forms of support operate, essentially, to sustain women in prostitution rather encourage them to move on.

The study later states:

> *"the claim that the service provided by reactive harm-reduction services are essentially the same as the proactive services provided by specialist exiting agencies is misconceived. We have developed a model that combines the ability to address women's needs and builds up trust and support on one hand with a proactive exiting strategy, which is designed not to perpetuate the involvement of women in prostitution but to facilitate their exit."*

I make no criticism of existing programmes in Northern Ireland that provide sexual health care service and harm reduction support to people involved in prostitution. However, we must complement those services with programmes that will signpost people towards routes out of prostitution and offer them support to make that transition. In times when funding is being squeezed, we need to ensure that these vital programmes are protected by establishing them in legislation.

Many critics of clause 6 have claimed that I seek to class all those involved in prostitution as helpless victims. I do not accept that charge. However, for the sake of clarity, let me make it clear: at the heart of this clause is empowering people in prostitution to make a positive change to their lives. Clause 10B(1) makes it clear that these services are to be provided to a person who wishes to leave prostitution. No one will be forced into an exit programme under this new clause.

When I first proposed this amendment at a hearing before the Justice Committee, some members expressed concern that it may inhibit access to services for those who do not wish to leave prostitution. That is not my intention. Clause 10B(3) spells out that a person's right to any other statutory services will not be affected by whether they do or do not access support to exit prostitution under this clause. Similarly, clause 10B(2) makes it clear that access to assistance provided under the clause is not to be conditional on the person acting as a witness. For example, a person may access these services, irrespective of whether they give evidence against someone charged with an offence under clause 6.

As to the development of effective programmes, I highly recommend that the Minister of Health and his officials take a look at the excellent analysis of different models of support undertaken by Professor Matthews and his colleagues in their book 'Exiting Prostitution', which was published in September.

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

Finally, although my main motivation in introducing new clause 10B is to provide assistance to people who want to make a positive change in their circumstances be getting out of prostitution, it is important to recognise that there is evidence to suggest that there can also be a cost-saving benefit to exit programmes. Professor Matthews's book acknowledges that estimating the economic cost of prostitution is difficult, but it suggests that a basic calculation indicates the potential savings associated with women exiting are significant.

Intervention that helps people to leave prostitution successfully will, over the long term, bring about cost savings in areas such as healthcare services, drug addiction treatment programmes, social care for children and criminal justice enforcement. I hope that Members will support this measure.

12.00 midnight

I shall also briefly comment on amendment No 44, which would introduce a requirement to produce a strategy to help those who wish to exit prostitution. I welcome the intentions of the Members in tabling this amendment. As I have already stated, I believe that it is extremely important that we provide support for those who wish to leave prostitution to help them to do so. However, I believe that amendment No 43 accomplishes all that the Members are hoping to achieve through their proposed strategy in amendment No 44, with the added advantage that it provides a stronger guarantee that those assistance programmes will be put in place. I hope that the Member for Foyle and his colleagues might feel able to withdraw their amendment and support amendment No 43, which has the same aims.

I turn now to amendment No 45, in the name of the Minister of Justice. It is an amendment that I agree with and support. The amendment requires the Department of Justice to issue guidance regarding how and under what criteria a victim of trafficking may claim compensation under the criminal injuries compensation scheme. The guidance must also set out the assistance that is available to help victims apply for the compensation. The amendment achieves, in a better way, what I had intended with regard to compensation in the initial draft of clause 11. To my mind, too few victims of human trafficking have been able to claim compensation. Only two victims in Northern Ireland received compensation between 2009 and 2013. Compensation is of real importance to victims of trafficking, in that, first, it helps them in a practical way to rebuild their lives, and, secondly, it is an acknowledgement on the part of our society that a heinous crime has been committed against them. It is my hope that the guidance issued by the Department will make it easier for victims to claim compensation.

Clause 12 of my Bill proposes to introduce child trafficking guardians in Northern Ireland. I am grateful for the cooperation of the Department of Health, Social Services and Public Safety in refining these proposals. This has resulted in a number of amendments to the clause to ensure that the child trafficking guardians will be as effective as possible, although the fundamental principle and nature of the role is unchanged. Due to the number of textual amendments to be made, it has been more convenient to introduce these through a new clause, which is why I am proposing to remove clause 12 to replace it instead with the new 12A. I hope that Members will support the removal of clause 12.

The introduction of child trafficking guardians is internationally recognised by best practice recommended at a global level by the UN and UNICEF and contained in both the EU directive and the European Convention on Human Trafficking. The provision has also received a lot of support from charities and other respondents to my consultation and that of the Justice Committee. Child trafficking guardians will help some of the most vulnerable individuals who come to our Province — trafficked children — to navigate the complexities of engaging with a raft of statutory agencies.

The role proposed by the original clause 12 and retained in new clause 12A is based on the model developed by UNICEF, which states:

> *"The role of a guardian is to be an advocate for the child in a wide range of discussions and decisions about what should happen to the child, in particular to ensure that the decision-making process primarily considers the best interests of the child. The role is also to be a link between the child and the various agencies the child comes into contact with, to ensure the child is kept informed of any relevant developments with respect to him or her, and to accompany the child in a physical way, in particular when she or he is moved between various places."*

That understanding of the role is also accurate in the report 'By Their Side and On Their Side', produced for the Northern Ireland Commissioner for Children and Young people in February. In the definition used in that report, the following sentence particularly stands out for me:

> *"A Guardian is on the child's side, can explain what is happening to them, will listen to their views and experiences and speak up for them when needed."*

That, for me, is the essence of what we will provide through new clause 12A to children who have been trafficked. The details of the function and purpose of the child trafficking guardian are set out in detail in subsections 5 and 6 of new clause 12A. Establishing the functions of the role clearly in legislation in that way will ensure smooth working relationships between the child trafficking guardian and other professionals with a responsibility towards the child, and will give the child trafficking guardian the necessary recognition and authority to carry out these functions effectively. I note that the handbook for guardianship services that was published by the EU's Agency for Fundamental Rights this summer recommends that national law should include sufficiently precise legal provisions that define a guardian's duties and functions. Aside from a few drafting improvements, those functions remain the same as in my original clause 12.

Two primary changes are introduced by new clause 12A in comparison to the original clause 12. First, new clause 12A establishes clearly when a child trafficking guardian will be appointed for a child and when their work will come to an end. The new clause will ensure that trafficked children are provided with a child trafficking guardian from the moment that they are referred, or are about to be referred, to the national referral mechanism. That means that trafficked children will benefit from that specialised support as soon

as a professional identifies that a child shows signs of having been trafficked and begins the process to make that referral. The support will continue until a lasting solution has been found for the child, as long as that child is confirmed as a victim of trafficking. The clause also makes it possible for a child trafficking guardian to continue to work with a trafficked child after they turn 18, if the child wishes and a lasting solution has yet to be found. A large percentage of the trafficked children in Northern Ireland are teenagers, so it makes sense to ensure that child trafficking guardians are able, if necessary, to support young people as they make the difficult transition to adulthood.

The second primary difference in new clause 12A relates to the agencies that will be responsible for providing the support. I am grateful for the input of officials in the Department of Health, Social Services and Public Safety in that matter. New clause 12A clarifies that it will be the responsibility of the regional Health and Social Care Board, rather than the Department, to ensure that arrangements are in place to provide child trafficking guardians. The new clause also clarifies that child trafficking guardians will be provided by a registered charity that is contracted to do so by the regional Health and Social Care Board and that the individuals who act as child trafficking guardians must be employees of that charity. That approach was one of the possibilities under my original clause 12 and is considered to be the most efficient method by the Department of Health.

That structure also establishes clearly the independence of the child trafficking guardians from local health and social care trusts and all other agencies that will provide services to the child. That independence is a key facet of the international understanding of such a role, which was affirmed last summer by the handbook on guardianship that was published for the European Commission by the Agency for Fundamental Rights, as well as enabling the guardian to advocate for the child's best interests free from any conflict of interest. New clause 12A retains the requirement in the original clause that the Department of Heath should issue regulations that stipulate the training, qualifications, support and supervision of child trafficking guardians. That will ensure that the support is of a high standard.

By supporting the new clause, the Assembly will be taking the lead in the United Kingdom. The Modern Slavery Bill that is going through Westminster covers the option of child trafficking guardians, but they do not need to be independent of local authorities, nor is the provision set out as a legal requirement. I hope that Members will support that improved measure in new clause 12A.

I now turn to amendment No 47. I recognise the concerns that the Member for Foyle and his colleagues have about the needs of separated migrant children. I understand the rationale for extending the scope of guardians to separated children and look forward to hearing what others have to say on that matter. However, in developing amendment No 46, I have been very grateful for the advice and cooperation of the Minister of Health, his predecessor and his Department. As such, in the final analysis, I will be guided by the Department with regard to the potential extension of the services to other children.

I now move on to amendments that relate to the protection of victims in the criminal justice system. Members, I am pleased to table amendment No 48, which will bring in a new defence for slavery or trafficking victims who have been compelled to commit an offence as a result of being a slavery or trafficking victim. As I mentioned at the beginning of my speech on this group of amendments, that is a replacement for my Bill's original clause 8, which dealt with the non-prosecution of victims of trafficking in human beings.

I included the original clause 8 in my Bill to meet the obligations of article 8 of the EU directive, which states:

> *"Member States shall, in accordance with the basic principles of their legal systems, take the necessary measures to ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities which they have been compelled to commit as a direct consequence"*

of being trafficked.

Article 26 of the European Convention on Action against Trafficking in Human Beings has a similar requirement of member states to:

> *"provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so".*

New clause 12B has the same aims; however, it seeks to respond to some of the concerns expressed about clause 8 during Second Stage and the Justice Committee's scrutiny of the Bill, namely issues of its breadth and offences that it covers. The Justice Committee said that it wanted to consider the outcome of the Westminster Joint Committee's review of the draft Modern Slavery Bill. That Committee concluded, at paragraph 69 of its report:

> *"that there should be a statutory defence of being a victim of modern slavery".*

The Committee suggested a clause that would take this forward, and that has been further amended in clause 39 of the Modern Slavery Bill. New clause 12B reflects a similar principle to the Modern Slavery Bill clause, drafted for the relevant legislation in Northern Ireland, with some variations.

In summary, three key points are to be made in relation to new Clause 12B. Firstly, it proposes that a defence will apply for adults and children for offences with a penalty of less than five years that they might have committed as a result of being victims of trafficking or slavery, with the exception of cannabis production. Hence, the defence is limited to less serious offences. Secondly, adults will need to show that they had been compelled to commit the offence. Thirdly, child victims of exploitation will not need to show that they had been compelled.

Let me set out the detail of each subsection. Clause 12B(1) specifies that an adult is not guilty of an offence that they had been compelled to commit, where the compulsion is attributable to being held in slavery or trafficked and where a reasonable person with the same characteristics, were they in the same situation, would have no realistic alternative other than to commit the same offence. Clause 12B(2) defines "relevant characteristics" for the purposes of subsection (1) as meaning:

> *"age, sex and any physical or mental illness or disability".*

Clause 12B(3) clarifies that an adult may be compelled to do something either by another person or by circumstances. Clause 12B(4) sets out the circumstances in which compulsion is attributable to slavery or relevant exploitation or where the compulsion arises as a direct consequence of the person being or having been a victim of a slavery-type offence or of relevant exploitation. Clause 12B(6) and 12B(7) make separate provision for victims who are children, with the effect that a victim who was a child when the offence took place could use the defence where the offence was committed as a direct consequence of being a victim of a slavery-type offence or of relevant exploitation, as defined by subsections (1) to (5) of clause 3.

I stress to Members that, at this point, clause 12B deviates from the same defence in the Modern Slavery Bill. Children have to show compulsion under its proposed clause. In Northern Ireland, if this new clause were to be passed today, it would mean a child would not need to show that a reasonable person in the same situation would have no realistic alternative other than commit the same criminal act. The law must recognise that the inherent vulnerability of a child is a very different situation to that of the objective, reasonable person. This is consistent with the special position of children in the criminal justice system and in line with the UN Convention on the Rights of the Child. Members will want to know that this change from the Modern Slavery Bill is not without reason. The UNICEF 'Reference Guide on Protecting the Rights of Child Victims of Trafficking in Europe' states that law enforcement authorities:

> *"should ensure that child victims are not subjected to criminal procedures or sanctions for offences related to their situation as trafficked persons."*

This was further reiterated in a recent UNICEF document, which stated that, under international standards, children should be protected from prosecution for offences that they committed as a consequence of their situation and that that principle should apply, regardless of their role in the events. Clause 12B(8) clarifies that references in the clause to an act include an omission. Clause 12B(9) sets out that the defence, whether for adults or children, applies only to offences that attract a maximum sentence of less than five years as well as to a small number of additional specified offences that are particularly linked with trafficking and exploitation. That, again, deviates from the approach in the Modern Slavery Bill. That Bill still excludes the defence from certain offences, but those offences are listed separately. In this Bill, there is a simpler exclusion with a clear cut-off at a five-year prison sentence that was agreed between the DOJ and the Attorney General.

Clause 12B(10) provides an order-making power for the Department of Justice to amend subsection (9). I hope that I can reassure Members about two potential concerns. First, I know that the clause may not satisfy those who feel that my Bill has lost the non-prosecution principle present in many international instruments. Given the opposition to clause 8 from many quarters, I think that this is a workable alternative for several reasons. The first is that the directive and convention do not mandate non-prosecution but urge member states to make it possible. Paragraph 274 of the explanatory report to the convention states:

> *"Each Party can comply with the obligation established in Article 26, by providing for a substantive criminal or procedural criminal law provision, or any other measure, allowing for the possibility of not punishing victims".*

This amendment does just that. I should add that I hope that only a limited number of cases will get near a courtroom because of the PPS policy that sets out the circumstances under which victims of trafficking should not be prosecuted for offences committed as a result of their trafficking, a policy that the Minister of Justice relied on heavily in his opposition to clause 8 at Second Stage. I hope that the Minister will repeat the assurances that he gave to the Assembly at Second Stage on 24 September last year, when he said:

> *"prosecutors have the discretion not to prosecute when that is considered to be in the public interest". — [Official Report, Bound Volume 87, p334, col 1].*

In many cases, such as those that we are discussing, it will be considered not in the public interest. Should there be some reason why a case does not reach a courtroom, this new clause will give victims a further legal recourse for the prosecution to cease. I realise that that means that victims will be in the courtroom, which is not what many of us want, but it should prevent a conviction and the imposition of penalties in the appropriate circumstances.

The second concern is whether the number of offences excluded by clause 12B(7) is too extensive. The potential for a victim to commit murder and to be excluded from prosecution was raised on a number of occasions during the Justice Committee hearings. Members will also want to know that the model law against trafficking in persons produced by the United Nations Office on Drugs and Crime contains a clause that allows for "crimes of a particularly serious nature" as defined in national law to be excluded from any non-criminalisation provision, thereby ensuring that there is no defence for serious offences that have a penalty of greater than five years, which, to my mind, is reasonable and proportionate. I hope that Members will feel that that is an acceptable and worktable compromise from the position set out originally in my Bill. I am grateful for the assistance of the Department of Justice and the Attorney General in developing a defence that will work in Northern Ireland. I believe that it strikes the right balance in maintaining the rule of law and protecting the vulnerable.

Clause 13 seeks to protect victims of human trafficking and slavery offences during criminal investigations in accordance with articles 12 and 15 of the EU anti-trafficking directive. It proposes similar measures to regulations that were introduced in England and Wales in 2013 through the Trafficking People for Exploitation Regulations. Following discussions with the Department of Justice, I have tabled a number of amendments to the clause, one of which we have already voted on — amendment No 50 — to ensure that the clause refers to the new consolidated offences in new clauses 1A and 1B.

Amendment Nos 49 and 51 are technical amendments that replace particular words with terms more appropriate for the Northern Ireland context, specifically changing the term "chief officer of police" to "Chief Constable" and the word "professionals" to "persons".

Amendment No 52 changes the wording of clause 13(b)(vi). That change was requested by the Department

of Justice to ensure that, if the victim is under 18 and requests that he or she be accompanied by someone, and, if there is reason for concern about the person selected to accompany the victim, the police officer in charge of the investigation can prevent an inappropriate person from attending police interviews.

That would ensure that if a person — say a family member — was accused of being involved in trafficking the young person, that family member could not attend the interview as that may negatively affect any evidence that is given. If a police officer decides to exclude an adult, he must record the reasons for the decision in writing.

Clause 14 proposes extending the current protections offered to adult victims of trafficking for sexual exploitation when they attend court to victims of trafficking for other types of exploitation. The Criminal Evidence (Northern Ireland) Order 1999 sets out those protections. They include giving evidence in private and screening the witness from the accused. At present, only child victims and victims of sexual offences, including trafficking or sexual exploitation, are automatically eligible to receive those protections. For other vulnerable or intimidated witnesses to access those measures, an application must be made to the court.

A report from the Criminal Justice Inspection Northern Ireland on the application of special measures published in 2012 suggested that vulnerable witnesses were not always identified. The report also noted that those victims most commonly receiving special measures were child victims and victims of sexual offences. That suggested to me that the provision of special measures via application was not sufficient to ensure that victims of trafficking for labour exploitation receive that protection if they would like it. However, when, in 2012, I first proposed extending special measures to those trafficked for purposes other than sex, it was seen by some as being a step too far. I feel vindicated in doing so, however, since England and Wales made precisely that change in 2013 through regulations.

Having reflected on that matter since I introduced my Bill, I am convinced that this provision should also be extended to cover victims of the new offences that we have agreed today, which also would be in line with the Modern Slavery Bill. It is, of course, always open to a witness to decline to use these special measures if they so wish.

The many changes to clause 14 necessary to bring this into effect means that it is simpler to replace clause 14 with new clause 14A. So, I am seeking to oppose clause 14.

Amendment No 53 would introduce a new clause 14A, which has the same intended effect as the original clause 14. It ensures that victims of human trafficking and slavery offences outlined in new clauses 1A and 1B, alongside victims of all the trafficking offences that existed prior to this Bill, are automatically eligible for special measures if cases under the new offences or old offences are before the courts. To my mind, that is entirely appropriate considering the ordeal that many victims of human trafficking and slavery offences have been through. Any measure that could be taken to assist these vulnerable victims in testifying would be a positive step.

Let me set out the detail. New clause 14A amends the articles of the Criminal Evidence (Northern Ireland) Order 1999 that pertain to a witness's automatic entitlement to special measures. Clause 14A(2) would provide definitions so that the order would apply to all past and present offences of human trafficking and slavery, including the revised and consolidated offences that have been included in clauses 1A and 1B. Clause 14A(3) ensures that witnesses giving testimony in these cases can be granted special protection because they are considered witnesses who need assistance on the grounds of fear or distress about testifying. Clause 14A(4) ensures that evidence can be given in private if the witness is a victim of a trafficking or slavery offence. Clauses 14A(5) and 14A(8) ensure that, if the age of the witness is uncertain, and there are reasons to believe that they are under the age of 18, the witness shall be assumed to be under 18 and given the additional protections available to children. Clause 14A(6) ensures that the person accused may not cross-examine an adult trafficking or slavery victim or, under clause 14A(7), a child victim.

I urge Members on all sides of the House to support the amendments.

I will stop there, because I think I have gone on for long enough.

Mr Givan: I think it was appropriate that Lord Morrow, having moved the Bill some 12 hours ago — in fact, I think it is exactly 12 hours ago — would lead us into Tuesday morning, given the historic vote that I think has just taken place. There is a bit more time left in the debate. As I look around the Chamber, I can see that Members are struggling, but I know that they have the perseverance to keep going. We have started so let us finish, and let me move this on as quickly as I can.

I think that it is right to put on the record the deliberations of the Justice Committee. We spent seven months on the Bill. Given that other Parliaments, I trust, will look back at this debate, and some parliamentarians will read through this, I think that it is right that we put on the record the issues that we considered in great detail, to facilitate other places to be able to take forward the legislation that we are dealing with today.

This group of amendments and the clauses that they relate to are all about providing assistance, support and protection to victims and possible victims of human trafficking and slavery, as already outlined by Lord Morrow. Some Members seemed to have indicated in this debate that the Bill was only ever about one particular clause. Some people made comments that, I think, were unfair. This group of amendments is all about supporting people and providing them with the exit strategies and packages that, I think, everybody in this Chamber will want to support. It is right that we consider them properly so that people recognise that it was not just about clause 6; it is about supporting people as well.

Clause 8 was supported in principle by the majority of stakeholders, with many recognising that a victim of human trafficking should not be unfairly penalised for criminal acts that they are forced to carry out. There are clearly issues regarding how the policy of non-prosecution actually works in practice. It was stated that it had frequently been shown that, even when it was made clear that victims of human trafficking should not be prosecuted for offences, it was often contingent upon their cooperation in investigations, and examples of cases where some victims of trafficking had been charged with criminal offences were cited.

Substantial concerns were, however, raised that clause 8, in effect, provides a blanket immunity from prosecution and that there is no distinction provided regarding the seriousness of the crime committed. While the Northern Ireland Human Rights Commission indicated that there was a strong persuasive value as to why human trafficking victims would have immunity from prosecution, given their vulnerability, it noted that the clause did not capture the range and gravity of the offences that could fall within its remit, and it felt that a degree of discretion should be afforded to the Public Prosecution Service regarding which criminal offences it does or does not pursue.

The PPS also stated that it could not provide blanket immunity from prosecution, as the statutory obligations placed on the Director of Public Prosecutions by the Justice Act 2002 required public prosecutors to review each case received from investigators, in accordance with the code for prosecutors, to determine whether criminal proceedings should be instituted or continued, and each case must be considered on its own merits and having regard to the seriousness of the offence committed. It did, however, indicate that if evidence or information were available to support the fact that the person had been trafficked and had committed the offence whilst in a coerced situation, that would be considered a strong public interest factor militating against prosecution. PPS policy outlined the approach to be taken in such cases.

The Department also considered clause 8 as providing blanket immunity and had serious concerns about the impact of it. In the Department's view, there was a need to ensure greater awareness of human trafficking across the criminal justice system and an understanding of the responsibilities in protecting victims, and it suggested that there was scope to address that by amending clause 15 to ensure that the annual strategy would include actions to raise awareness and highlight the rights and entitlements of victims across the justice system.

When Lord Morrow attended the Committee, he outlined, as he has done tonight, that it was not his policy intention to provide a mechanism for blanket immunity and indicated that he was minded to await the outcome of the consideration of the Joint Committee in Westminster of how non-prosecution of victims should be dealt with as part of its scrutiny of the Modern Slavery Bill before deciding whether to progress with this clause or not. He did, however, indicate that he supported the Department's proposal to include awareness-raising as part of the annual strategy required by clause 15. Given the concerns raised and the fact that the policy intent behind clause 8 was not to provide a blanket immunity, the Committee decided that it was not in a position to support the clause.

More recently, the Department advised the Committee that, with Lord Morrow and the Attorney General, an approach had been agreed, resulting in amendment No 48, which will introduce new clause 12B and which is an alternative to clause 8. As Lord Morrow has already explained, the new clause provides for a statutory defence for victims of slavery and human trafficking who have been compelled to commit offences, provides the range of offences to which the defence will apply and also how the defence will apply to victims who are children.

I turn to clauses 9 and 10 and amendment Nos 41 and 42. The Committee very much recognises the importance of adequate and appropriate support and assistance to human trafficking victims, whether or not criminal proceedings are taken, and therefore welcomed the inclusion of the original clause 10 in the Bill while recognising that amendments would be required to set out the respective functions and responsibilities of the Department of Justice and the Department of Health, Social Services and Public Safety. There was also widespread support in the evidence that we received for the emphasis that clause 10 placed on the provision and support for victims, with some organisations suggesting that the time period for support should be extended and that all assistance and protection measures should be available to victims of forced labour as well as victims of trafficking.

Some concerns were, however, raised that the clause appeared to restrict support to victims where there are criminal proceedings, and it was suggested that consideration should also be given to what assistance and support can be provided to people who get a positive reasonable grounds decision but then a negative conclusive grounds decision, as that was a real and challenging issue.

In September, the Department of Justice advised the Committee that, given the substantial revisions required to clause 10, it had agreed with Lord Morrow to bring forward a new clause to replace it. The new clause sets out the requirements on the Department to provide assistance and support to adult potential victims of trafficking who have been referred to the NRM, and ensures that support is provided from the first point of contact with a potential victim and is not conditional on a person acting as a witness in criminal proceedings. The Committee is content with the proposed approach to replace the existing clause 10 with the clause set out in amendment No 42.

Lord Morrow has brought forward amendment No 43 to provide a duty on the Department of Health, Social Services and Public Safety to ensure that there is a programme of assistance and support for those who wish to leave prostitution. I indicated in the previous debate that the Committee supported the proposal by Lord Morrow when he first outlined his intention to bring forward a new provision to provide support services for those who wish to exit prostitution, and I therefore welcome the amendment.

In the evidence received by the Committee, a range of organisations and individuals highlighted the need for a strategy to provide support for those who wish to exit prostitution if the Bill is to be effective, including former prostitutes, Women's Aid, the Irish Congress of Trade Unions, Ruhama, Equality Now, the Turn Off the Red Light campaign and Evangelical Alliance. When the Committee met the Oireachtas Joint Committee, it also emphasised the importance of having such support mechanisms in place. It is clear that the legislation will be improved with the addition of that provision. The intent of amendment No 44 in the names of Mr McCartney, Mr Lynch and Mr Hazzard appears to be similar to Lord Morrow's amendment, and, therefore, I look forward to clarification during the debate on what they wish to achieve with their amendment.

I now want to speak briefly on clause 11, which relates to compensation for victims of human trafficking and the proposed amendments to it. This clause was welcomed by a number of organisations which viewed it as positive and much needed, with Women's Aid indicating that it was not aware of any instance where a victim of human trafficking had been successful in claiming such compensation. Victim

Support said that, under the current compensation scheme, there is no specific tariff for the crime of human trafficking. Victims of such crimes have to apply based on their physical and/or mental trauma, and the criteria for a successful application are very strict. It recommended that the Committee look at the provision for compensation alongside the review of compensation legislation that is being undertaken. When the Committee was considering this clause, the Department advised that it had agreed with Lord Morrow that it should be required to bring forward statutory guidance instead of an order, and that it would therefore bring forward an appropriate amendment to the clause.

Some Committee Members expressed concern that the guidance would not be sufficient to make that provision effective and ensure that compensation can be paid to victims of trafficking. The Committee therefore considered the options available to provide the Assembly with a degree of control in relation to the content of the guidance, including an amendment to make the guidance subject to the affirmative or negative resolution procedure. The Committee decided not to amend the clause but to seek a commitment from the Minister of Justice during this Consideration Stage that the Department will consult the Committee on the draft guidance and take full account of its views. I trust that the Minister will give such a commitment when he speaks in the debate shortly. I am sure that the Committee will also closely scrutinise the compensation legislation itself during that review.

I will move on to the provision for a child trafficking guardian in clause 12. Lord Morrow outlined to the Committee that it is internationally recognised best practice to have a child trafficking guardian and that, in his view, the position should be set in statute, be appointed as soon as a trafficked child has been identified, be recognised by other agencies as having a legitimate role working in the best interests of the child and be suitably trained. He also believed that the guardian should be someone independent of the health trusts and was therefore intending to bring forward an amendment to exclude an employee of a health trust from being a guardian.

The Department of Health, which would be required to implement the arrangements, was not opposed to the concept or the responsibilities of the guardian as set out in the clause but indicated that some amendments would be needed to clarify that the duty should fall to the health trusts rather than to the Department. It also proposed that the responsibilities of the guardian should be a matter for regulations rather than set out in the Bill. The Committee noted that there was widespread support in the evidence that it received for an independent child trafficking guardian to ensure that effective support can be given to trafficked children and agreed that it supported the concept that is now being taken forward through amendment No 46, which will introduce new clause 12A.

Finally, I want to refer briefly to clauses 13 and 14 and amendment Nos 49, 51, 52 and 53. The Committee recognises that it is vital to put in place practical measures that will minimise the risk of further distress to and re-traumatisation of victims of human trafficking during any investigations and court proceedings. The Committee therefore supports clause 13 and amendment Nos 49, 51 and 52, which extend the provision of special measures to victims of human trafficking during the investigation process, and amendment No 53, which will introduce new clause 14A to ensure provision of special measures to victims of human trafficking during the court process. The Committee is very well aware from its inquiry into the criminal justice services available to victims and witnesses of crime in Northern Ireland how stressful it can be for victims to give evidence in criminal trials and appreciates that that can be especially true for trafficking victims. Any measures that help to make the process easier are valuable and should be welcomed.

I will speak briefly as an individual MLA. I touched earlier on how the Attorney General had played a very important role in dealing with clause 8 in respect of blanket immunity. I want to put on the record that, without prejudice to the Attorney General's views on this, he recognised that the Committee and Lord Morrow wanted to take forward a policy agenda, and he proactively engaged with the Committee, highlighting, in my view, where there were concerns and then helping to assist us and Lord Morrow in developing an amendment that would achieve what he wanted to achieve and what the Committee wanted to support. It is a good example of how officials can engage, even at times on issues that they may not necessarily agree with members on. When they recognise that there is an intent to proceed in a particular way, he has shown that you can proactively engage and develop something that members want to put in place, be practical and implement. It is right that I record my appreciation for the way in which he engaged with the Committee and Lord Morrow in respect of that. I commend the positions outlined by Lord Morrow.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. I rise to speak on amendment Nos 44 and 47. I wish to keep this short, seeing as it is well into another day.

I listened to what Lord Morrow had to say about his new clause 10B, which is created by amendment No 43. We feel that it is fine; however, we believe that our amendment No 44 is stronger. It involves setting out a strategy at least once every year and also involves other Departments. We will vote for the two amendments and then hope that, at Further Consideration Stage, we can come to some agreement on the important issue of support and assistance for those leaving prostitution.

I will move on to amendment No 47, which seeks to broaden and slightly widen the scope of the child trafficking guardian to an independent legal guardian. A legal guardian's role would be a trusted adult who will act in the interests of all separated children, not just victims of trafficking. The Children's Commissioner, who is an expert in that field and who deals with such matters daily, is strongly of the opinion that the amendment presents us with an opportunity to extend protection to all children separated from their legal guardian or parents. The amendment would extend to those vulnerable children, irrespective of whether trafficking or other forms of exploitation have been suspected or identified.

In reality, the provision would apply to only a small number of cases each year. Given that small number, it is difficult to envisage why we would not support extending the provision to vulnerable children not directly linked to trafficking.

I appreciate that the primary aim of Lord Morrow's Bill is to deal with human trafficking. However, it would make no sense, when establishing very worthwhile protection functions, for them not to apply to other vulnerable children

in a similar circumstance. The additional resources needed would be minimal, but the benefits to each of those children would be immense.

Mr A Maginness: I will be as brief as I can. The SDLP supports the group 4 amendments that Lord Morrow tabled. As the Chair of the Committee said, they seek to support people in the aftermath of their victimisation. We support the measures that he brought forth, particularly amendment No 48, which deals with a statutory defence for the victims of human trafficking so as to prevent their prosecution. I believe that Lord Morrow has struck the right balance in his amendments to prevent a situation of blanket immunity, particularly in serious cases. We support the position outlined by Lord Morrow in his address to the Assembly. We believe it to be very sensible indeed.

Amendment Nos 43 and 44 are, to some extent, related. Amendment No 43, which creates new clause 10B, is, I believe very important and helpful, but I think that the new clause 10B proposed in amendment No 44 in many ways complements it. We are of the view that it should be supported. Lord Morrow suggested that amendment No 44 not be made, but I think that, in the circumstances, it does no damage to the preceding amendment No 43. Mr Lynch made a good point, which was that, at Further Consideration Stage, we can harmonise the amendments and make them much better.

We take the view that amendment No 47 is helpful. It goes a little further than amendment No 46, and amendment No 47 has, in some ways, been supported by the Children's Commissioner, who feels that it is necessary to go a little further than amendment No 46. She pointed out that there are separated children who are not necessarily the victims of human trafficking, so it is an extension, but not a huge one. There are only a small number of children involved, but we think that it would be sensible to include them. The Children's Commissioner pointed out that no EU member state has a guardianship system only for child victims of trafficking.

Several countries provide guardians for trafficked and separated children in recognition of the inherent vulnerabilities of both groups. It is also a requirement of international good practice and advice of the UN Committee on the Rights of the Child that member states should appoint a guardian to all unaccompanied children. She feels that the current clause 12 falls short in that regard. We are supportive of that. Amendment No 47 is to be preferred.

12.45 am

Mr Elliott: I am almost reluctant to say that I will be brief. Everybody has been saying that for the last two hours. Maybe I will just say that I will take as long as is necessary, which, I hope, is not too long.

I had significant and major concern with clause 8 right from the introduction of the Bill. I had discussions with Lord Morrow, and I raised my concern at Committee. Indeed, clause 8 gave me more concern than clause 6. Even though a lot of the debate was around clause 6, clause 8 was more difficult for me to accept. I am pleased that Lord Morrow has agreed to vote against clause 8 standing part and to bring in the new clause 12B. That is much more specific; it is clearer, and it does not give the blanket immunity that clause 8 was providing. I welcome that move.

Amendment Nos 43 and 44 have been touched on. I will briefly mention them as well. At the outset, I felt that you could not vote for both, but it appears that the indication is that you actually can. They are very important; they give help and support to those who wish to leave prostitution. If we are going to make sure that the Bill works, it is important that that help and support mechanism is in place for the people who want to leave prostitution. I am inclined to support both amendments, if possible, and maybe resolve it at the next stage to something better.

Amendment Nos 46 and 47 are of a similar nature, except that amendment No 47 facilitates children who come from another country; those named as "separated" children. My one concern about that issue is about whether it would be open to any abuse of children who may be sent to Northern Ireland on the basis that they would get that help and support. The numbers are very small, and I hope that that would not happen, so I am more inclined to support amendment No 47 on the basis that it will not be open to abuse. I will be interested to hear what the Minister has to say about that aspect. Sinn Féin Members have spoken, but there has not been any clarity around whether that could be open to abuse. If any Member wants to satisfy my mind on that situation, I am happy to give way, but there does not appear to be. Anyway, both of those seem to be very close.

Mr McCartney: Will the Member give way?

Mr Elliott: I am happy to give way.

Mr McCarthy: There is always an opportunity for people to abuse it, but, having spoken to the Children's Commissioner, she is reasonably satisfied that this will be a small number of cases and that it will not be subject to abuse.

Mr Elliott: I thank the Member for that clarity. Again, the indication is that it will be a very small number of cases. We hope that it will not be open to abuse and that it will give extra protection for separated children. Hopefully, it will provide some sort of comfort for them if they find themselves in a very unfortunate situation.

Miss M McIlveen: I would like to comment on clause 12, and amendment No 46, the provision of child trafficking guardians. I do not plan to speak long as it is well past my bedtime.

Members will be aware that I have an interest in issues affecting children. In a great deal of the work that I have done, I have sought to raise awareness of the need to protect children and young people from all forms of exploitation, including sexual exploitation.

Children who have been trafficked are some of the most vulnerable in society. Many are brought here for the sole purpose of being exploited in different ways, and find themselves isolated in an unfamiliar environment. Child trafficking is a form of child abuse, and official figures only ever tell a partial story.

It is challenging to identify and protect child victims. Children who are trafficked may be found in brothels, in forced labour or on the street. Rather than being seen as victims of crime, they are often regarded as perpetrators. We need to be mindful also that English may not necessarily be their first language; their use and understanding of English may not be sufficient to allow them to communicate fully.

They certainly do not understand all the processes that they go through. In that environment, it is important that we recognise that those children cannot be treated like other children under the care of the state. Their experiences, needs and the challenges that they face are distinct. We are right to provide them with specialist support.

Trafficked children are at high risk of being re-trafficked. We should not underestimate the degree to which traffickers can exert control and influence over such vulnerable children. Everything needs to be done to protect these children from further exploitation once they come to the attention of the authorities, and the provision of child trafficking guardians is a vital step forward in that regard. I pay tribute to Lord Morrow for putting this issue on our agenda in the Assembly. I also pay tribute to the former Minister of Health, and his successor, for adopting and supporting this proposal.

By passing this amendment, Northern Ireland will be leading the way among the nations of the United Kingdom in creating such a role in legislation. It demonstrates the commitment that we as a society are making to those extremely vulnerable children, not just for now but for the future.

I want to highlight one aspect of the child trafficking guardian set out in new clause 12A, which I believe is vital: the legal recognition and authority that the child trafficking guardian has in relation to all other public agencies dealing with the child's case, found in 12A(7).

The principal role for a child trafficking guardian is to speak for the best interests of the child. To give a meaningful voice to the best interests of the child in all decisions about their care, immigration status or participation in criminal investigations, the guardian must have the standing and authority to contribute to discussions and to be listened to by other public officials.

It is the setting out of the full list of the functions of the child trafficking guardian in legislation, as this clause does, that is so important; it makes it clear where the responsibilities of the child trafficking guardian begin and end. That will be extremely helpful in avoiding situations where different professionals make assumptions about who will be responsible for what aspect of a child's care and support, with the potential for the child to slip through the gaps.

By establishing the child trafficking guardian as a person with statutory authority and responsibility, they will be able to play a full part in decision-making processes about a child's case, without any uncertainty about their role in relation to social workers, teachers, immigration officials and others who interact with a child.

This new clause will ensure that the role and authority of the child trafficking guardian in advocating for the child and its best interests will be recognised by all those agencies providing services to a child. As I see it, the purpose is not to create an additional barrier for other public sector professionals doing their job; rather, it is to amplify the voice of the child and to ensure that in all contexts the child is supported and their best interests are prioritised and protected.

One other aspect of new clause 12A that I want to mention is the authority in 12A(6)(c), which allows the child trafficking guardian to instruct or appoint a solicitor for a child where appropriate. It can be difficult for lawyers to take instructions from trafficked children, who often do not have, and should not be expected to have, full legal capacity or a complete understanding of the complex situations that they are in.

The child's language skills may be limited, or he or she may have been manipulated by his or her traffickers, who make the child trust them and tell the child not to trust the authorities. Under those circumstances, a child may not be able or willing to give a lawyer instructions that would be in his or her own best interests. A child trafficking guardian can come alongside the child, gain his or her trust and help him or her to engage with the legal process and instruct the child's lawyers when the child is unable to do so. I am very pleased that this new clause gives such authority and responsibility to a child trafficking guardian when it is necessary. This is an excellent addition to the original clause 12.

If we are to protect those extremely vulnerable children to the best abilities of our care system, I believe that a specialist child guardian has a vital role to play. Such a guardian would be accepted, recognised and listened to as having authority to speak up for the best interests of a child. A child trafficking guardian will be there to support and help that child through all the formal, legal and administrative processes that they will face.

That role will be a key part of the safety net that we put around children who have been trafficked, so I am pleased to support amendment No 46.

Mrs Dobson: I wish to make a few short comments. I hope that they will be even shorter than those of my colleague Tom Elliott, who has further to travel home than I have.

In particular, I want to address amendment Nos 43, 44, 46 and 47, which relate to the Department of Health. On amendment Nos 43 and 44, I believe, like everyone else in the House, that there must be appropriate support in place for women, as well as for men, who wish to leave prostitution. Research has shown that people often wish to leave prostitution and do so, but it is not a decision that is taken easily. We need to remember that many of those women did not end up making money in that way out of their own choice. For too many, the route through prostitution includes violence, abuse and coercion, and, in many cases, it has been horrific for them. There may be some who took that decision entirely of their own free will, but they may also find it difficult to leave.

The barriers to leaving are many, not least, as we heard, drugs and alcohol abuse as well as housing factors. Difficult as it may be for some to understand, we need to remember that some of the women involved in prostitution may be operating from their own homes, and, very often, they will not own their properties so that sometimes even their landlords will be involved. However, despite the many obvious problems with leaving, many women still do so, and, equally, many others may be seeking a route out.

At present, however, I am concerned that Northern Ireland may not have the required specialist knowledge and dedicated services to support people exiting prostitution. That is why I support amendment No 43. If that is agreed, it will place a duty on the Department of Health to have a programme in place to support people exiting prostitution. However, I urge the Department to avoid having a strategy just for a strategy's sake. Instead, such a programme must be focused, sufficiently flexible to meet people's needs,

and, most importantly, it must put in place measures to allow those people to rebuild their lives.

We must also remember that not only would a dedicated programme provide support to people who want to exit prostitution, but it would be an extremely cost-effective way to prevent further physical harm through continued involvement. I believe that that is an important point to take on board, and I listened intently — it seems like hours ago — as Lord Morrow made that point, and I commend him for it.

I will move to amendment Nos 46 and 47. As we know, there is little difference between the two amendments, apart from points that have already been mentioned. On the broader issue, I can understand the rationale behind them. It is important that children have a custodian who will, as both amendments state, "assist, represent and support" them.

The choice that we are faced with tonight — or tomorrow, whatever time it is — is whether we feel that the clause should also apply to a separated child. Our minds are open to that: we will listen carefully to what the Minister has to say. It may have been helpful had the Health Minister contributed to the debate and put forward his Department's perspective, but that was not the case here tonight.

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

1.00 am

My party is supportive of expanding it to separated children. That seems a reasonable position, not least as children presenting as seeking asylum may be victims of trafficking themselves. I am aware that the numbers included may be small. My colleague Tom Elliott spoke about that earlier. Equally, we would be keen to ensure that, if it were to be included, that would not be exploited.

Mr Ford: I will try to take as long as it requires to deal with the points raised. A number of amendments have been tabled jointly for this section as well by Lord Morrow and me, focusing basically on assisting and protecting victims and potential victims. Given the good work done between my team and Lord Morrow, I trust that those are all matters that will attract the support of the House generally.

In particular, amendment No 41 deals with the interpretation in the new clause 9A, which is a straightforward matter for ensuring that we get the provisions right in this. Amendment No 42 introduces new clause 10A looking at the statutory requirement to provide comprehensive assistance and support to adult potential victims of trafficking who have been, or are about to be, referred to the NRM. There is, of course, a comprehensive package of support already available from the Department in line with our obligations under the EU directive. New clause 10A will enshrine this provision within our law and provide greater assurance to potential victims of continuing commitment.

I am grateful for the positive remarks that Lord Morrow made about my position. I am happy to accept this amendment to bind my successors in ensuring that they continue to work so well. We will then be going beyond our precise obligations under the directive so that we will have support immediately available, rather than when reasonable grounds have been established, and possibly also continuing for some period later. All of that would be a good sign of the work being done in a joined-up and collective way across this jurisdiction, which at least exceeds what is required for the European directive.

Amendment No 45 gives guidance about compensation for victims. It places a specific requirement on my Department to bring forward statutory guidance setting out the procedures for applying for compensation, the arrangements to provide assistance and support to anyone seeking compensation rather than the current requirement that they be set out by order. I am very happy to support the amendment. The intention is to clarify the process so that victims of human trafficking can navigate the process. I am happy to give the commitment that was requested by the Committee Chair in his absence that we will, as usual in the Department of Justice, consult the Committee as that guidance is developed.

Amendment No 46 deals with the issue of the child trafficking guardian, which I have been asked to take forward on behalf of the Minister of Health, Social Services and Public Safety and which is, of course, co-signed by Lord Morrow. In response to the point made just a moment ago by Mrs Dobson, the fact is that, under our normal procedures, only one Minister can speak to a Bill. I have already spoken on behalf of the Minister of Finance and Personnel on certain aspects. I now speak on behalf of the Minister of Health, Social Services and Public Safety in other respects.

Amendment No 46, the child trafficking guardian, is agreed by the Executive. It requires the appointment of a child trafficking guardian in the specified circumstances and defines the role of that guardian principally to assist, support and advise child victims of human trafficking and to work on their behalf. As has already been said by Lord Morrow, it must be independent of both DHSSPS and the health and social care trusts. This is a matter that, I understand, has been worked out in detail between the Health Minister and Lord Morrow. The amendment has been necessary to ensure that the role of the child trafficking guardian complements and adds to other statutory roles, including that, for example, of a social worker responsible for the care and protection of a child or the guardian ad litem responsible for representing the interests of the child in family court proceedings. Key to the new clause 12A is the principle that all decisions made or actions taken by the child trafficking guardian are to be in the best interests of the child.

Amendment No 47 is slightly different. It goes wider to include separated children within the scope of the Bill, which is something that is not supported by the Minister of Health and the Executive's decision at this stage. In the view of DHSSPS, the provision does not sit easily with the Bill, which is about human trafficking offences and exploitation. It goes beyond it in a way that is, at times, confusing. For example, subsection 2(c) of new clause 12A has to be read alongside subsection 2(a), in that it applies if a reference to that child has been, or is about to be, made to the NRM. However, a referral to the NRM will not be made in respect of a separated child who is not considered to be a victim or potential victim of human trafficking. Alternative drafting would be necessary to capture the policy intention.

It is also important to note that a child who is considered to be separated will actually become looked after by one of the five health and social care trusts under the Children

(Northern Ireland) Order 1995 and will receive the care and protection provided for under that Order. Figures provided by the Health and Social Care Board show that every child who entered Northern Ireland through an international border in 2012-13, for example, and who was considered to be separated or trafficked, became a looked-after child. Importantly, the Health and Social Care Board is in the process of establishing a specific facility for separated children. It is intended that advocacy services will be central to service provision in that facility. On that basis, the Minister of Health, Social Services and Public Safety and I are of the view that there is no necessity for the guardianship service provided under the Bill to extend to separated children.

There is also the issue that the definition of a separated child contained in the amendment is confusing, in that it defines a separated child as one who may be in the company of other adults, including members of their extended family. By definition, a child who is in the company of other adults cannot be separated. There is a further complication in that the title for the proposed clause 12A reads "Independent Legal Guardian". That could give rise to confusion and cause difficulties between the independent legal guardian and the guardian ad litem. I believe that "Child Trafficking Guardian" is a safer title for the purposes of the Bill. I therefore believe that amendment No 46 is more appropriate than amendment No 47 to meet the needs of the Bill.

Amendment No 43 has been tabled by Lord Morrow to ensure that there is a programme of assistance and support available to a person who wishes to leave prostitution. I am advised that this is being discussed with Lord Morrow by the Minister of Health. I understand that he is supportive, in principle, of amendment No 43, though it has not yet been formally considered by the Executive and may require possible further amendment at Further Consideration Stage. The Minister of Health has advised me that he is not supportive of amendment No 44, tabled by Mr McCartney and colleagues, which he believes would already be incorporated within the effect of amendment No 43. Amendment No 43, from Lord Morrow, provides for a programme of assistance and support for individuals seeking to exit prostitution. The amendment would place lead responsibility for providing the programme with the Minister. As I indicated, it is understood that he is, in principle, supportive. On the other hand, whilst the amendment tabled by Mr McCartney and colleagues is attractive in the sense of drawing in other Departments, the priority is surely to provide the programme of support rather than to produce a strategy annually to do that.

Whilst lead responsibility for the provision of the programme would lie with the Department of Health, there is no reason why the programme could not, in principle, incorporate services that are the responsibility of other Departments; for example, housing or education. The programme could be designed in a way that eases access to those services by thoughtful and facilitative signposting. I am aware that, in speaking to it, Mr Lynch talked about whether it could be amended at Further Consideration Stage. It seems to me that there is a clear case for agreeing amendment No 43, but, if amendment No 44 were added as well, there would undoubtedly be a need for further amendment. I believe that amendment No 43 carries the necessary key services, which is the focus of this section of the Bill.

In addition to those amendments making provision for the welfare and support of victims, amendment Nos 48 to 53, tabled jointly by Lord Morrow and me, are intended to enhance the protection available to victims of trafficking.

Amendment No 48 introduces new clause 12B, a statutory defence for victims of human trafficking and slavery-type offences who have been compelled to commit certain offences. Lord Morrow spoke to it at length, and certainly answered the question, which Members may recall I asked previously, around the significant concerns I had that clause 8, as introduced, goes too far in offering blanket immunity from prosecution for victims of human trafficking, and does not provide a proportionate response.

I am grateful for the engagement that we have had with Lord Morrow and we agree that clause 12B should replace clause 12A. That will be a much more proportionate and appropriate response that will deal with a test for compulsion around how a reasonable person in the same situation, with the same characteristics of age, gender or any physical or mental illness or disability, would have no realistic alternative to act differently. That would not be the case for child victims, as they would not need to show that a reasonable person in the same situation would have no realistic alternative. I believe that is an appropriate distinction between adults and children that is entirely consistent with the position that we hold for children in the justice system and is in line with the UN Convention on the Rights of the Child.

I should make it clear, as requested by Lord Morrow, that even in the cases in which the proposed defence would not apply, prosecutors would still be able to exercise their existing discretion not to prosecute if they consider that that prosecution would not be in the public interest. The PPS has indicated that where a defendant is a victim of human trafficking and has been compelled to commit criminal activities, that would be considered to be a strong mitigating factor against prosecution.

Amendment Nos 49 to 52 are technical in nature and all seek to amend clause 13. They have been outlined by Lord Morrow, and I do not think that they require further discussion.

Amendment No 53 introduces new clause 14A, which is intended to replace clause 14 and which would amend the Criminal Evidence (Northern Ireland) Order 1999 to ensure that victims of human trafficking and slavery-type offences under the Bill, as well as any victims of the existing human trafficking and slavery offences, if those cases may still be before the courts, would be automatically eligible for special measures when giving evidence in court. Those special measures could include provision for the exclusion of persons from court when the witness is giving evidence or that an individual who is charged with an offence may not cross-examine the complainant. I believe that new clause 14A is a useful amendment to clause 14. It renders clause 14 unnecessary, and Lord Morrow and I agree that it should no longer stand part of the Bill.

That deals with the amendments in this group.

Lord Morrow: I have good news for the House: I will not say much very much at all. I see the thumbs going up already opposite me.

It is suffice to say that I think that everything that needs to be said has been said about this group of amendments.

I would, however, urge a slight caution at this juncture in relation to amendment No 44, and I know that the Minister also touched on that. Quite frankly, we on this side of the House feel that it is not necessary and all the work has been accomplished in amendment No 43, which introduces a new clause. It is not our intention to divide the House on it at this late hour, but we will want to revisit it and look at it again. I do not know whether I ask in vain, but I will try anyway. I ask the proposer of amendment No 44 not to move it at this stage.

I will not say anything more. The hour has long gone. I will leave it there.

Mr Principal Deputy Speaker: Lord Morrow and the Minister's opposition to clause 8 has been debated.

Question, That the clause stand part of the Bill, put and negatived.

Clause No 8 disagreed to.

Clause 9 (Victim of trafficking in human beings)

Mr Principal Deputy Speaker: The opposition to clause 9 has already been debated.

New Clause

Mr Principal Deputy Speaker: Amendment No 41 has already been debated. Amendment No 41 made:

After clause 9 insert

*"**Interpretation of this Part***

***9A**.—(1) For the purposes of this Part there is a conclusive determination that a person is, or is not, a victim of trafficking in human beings when, on completion of the identification process required by Article 10 of the Trafficking Convention, a competent authority concludes that the person is, or is not, such a victim.*

(2) In this Part—

"competent authority" means a person who is a competent authority of the United Kingdom for the purposes of the Trafficking Convention;

"the Trafficking Convention" means the Council of Europe Convention on Action against Trafficking in Human Beings (done at Warsaw on 16 May 2005);

"trafficking in human beings" has the same meaning as in the Trafficking Convention.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

Clause 10 (Requirements for assistance and support)

Mr Principal Deputy Speaker: The opposition to clause 10 has already been debated.

Question, That the clause stand part of the Bill, put and negatived.

Clause No 10 disagreed to.

New Clause

Mr Principal Deputy Speaker: Amendment No 42 has already been debated.

Amendment No 42 made: After clause 10 insert

*"**Assistance and support pending determination by competent authority***

***10A**.—(1) The Department must ensure that a person to whom this section applies is provided with assistance and support in accordance with this section.*

(2) This section applies to a person if—

(a) that person is aged 18 or over or, in a case where the age of the person is uncertain, the Department reasonably believes that person is aged 18 or over; and

(b) a reference relating to that person has been, or is about to be, made to the competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the person is a victim of trafficking in human beings.

(3) Assistance and support is to be provided under this section until there is made in relation to that person—

(a) a determination that there are not reasonable grounds to believe that the person is a victim of trafficking in human beings; or

(b) a conclusive determination that the person is or is not a victim of trafficking in human beings;

but if a conclusive determination that a person is a victim of trafficking in human beings is made within the relevant period, assistance and support is to be provided until the end of that period.

(4) The relevant period is the period of 45 days from the date on which the determination mentioned in subsection (2)(b) is made by the competent authority.

(5) Assistance and support provided to a person under this section—

(a) must not be conditional on the person's acting as a witness in any criminal proceedings;

(b) must only be provided with the agreement of that person;

(c) must be provided in a manner which takes due account of the needs of that person as regards safety and protection from harm;

(d) must be provided to meet the assessed needs of that person, having regard in particular to any special needs or vulnerabilities of that person caused by gender, pregnancy, physical or mental illness, disability or being the victim of serious violence or serious abuse.

(6) Assistance and support under this section must be offered from a person who is of the same gender as the person receiving it.

(7) The assistance and support which may be provided under this section includes, but is not be restricted to, the provision of—

(a) appropriate and safe accommodation;

(b) material assistance (including financial assistance);

(c) assistance in obtaining healthcare services (including counselling);

(d) appropriate information on any matter of relevance or potential relevance to the particular circumstances of the person;

(e) translation and interpretation services;

(f) assistance in obtaining legal advice or representation;

(g) assistance with repatriation.

(8) Where assistance and support has been provided to any person under this section, it may continue to be provided even if that person leaves Northern Ireland.

(9) Where—

(a) assistance and support has been provided to a person under this section; and

(b) that person ceases, by virtue of a conclusive determination that the person is a victim of trafficking in human beings or the ending of the relevant period, to be a person to whom assistance and support is to be provided under this section,

the Department may nevertheless ensure that assistance and support continues to be provided to that person under this section for such further period as the Department thinks necessary.

(10) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 43 made: After clause 10 insert

*"**Assistance and Support for Exiting Prostitution***

***10B**.—(1) The Department of Health, Social Services, and Public Safety must ensure that there is a programme of assistance and support made available to a person who wishes to leave prostitution.*

(2) Assistance and support provided under this section—

(a) is not conditional on the person's willingness to act as a witness;

(b) shall be provided with the agreement of the person; and

(c) shall take due account of the victim's safety and protection needs, including being offered assistance from a person of the same gender.

(3) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.

(4) For the purposes of this section "prostitution" has the same meaning as in Article 58 of the Sexual Offences (Northern Ireland) Order 2008.".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 44 made: After clause 10 insert

*"**Strategy on assistance and support for exiting prostitution***

***10B**.The Department of Health, Social Services and Public Safety shall, at least once in every year, publish a strategy, in conjunction with other government departments, to ensure that a programme of assistance and support is made available to a person who wishes to leave prostitution.".— [Mr McCartney.]*

New clause ordered to stand part of the Bill.

Clause 11 (Compensation for victims of trafficking)

Amendment No 45 made:

In page 6, line 19, leave out from ", by order" to end of line 25 and insert

"issue guidance as to—

(a) the procedures to be followed by a person to whom this section applies to apply for compensation under the Criminal Injuries (Compensation) (Northern Ireland) Order 2002;

(b) the grounds on which compensation may be awarded under that Order; and

(c) the arrangements available to assist and support such a person in applying for such compensation.

(3) This section applies to a person if (and only if) there has been a conclusive determination that the person is a victim of trafficking in human beings.".— [Mr Ford (The Minister of Justice).]

Clause 11, as amended, ordered to stand part of the Bill.

Clause 12 disagreed to.

Mr Principal Deputy Speaker: Amendment No 46 has already been debated and is mutually exclusive with amendment No 47.

Question put, That amendment No 46 be made.

The Assembly divided:

Ayes 41; Noes 45.

AYES

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Maurice Devenney, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, 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.

Tellers for the Ayes: Mr Dickson and Mr G Robinson.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Cree, Mrs Dobson, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr B McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend,

Mr P Ramsey, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Swann.

Tellers for the Noes: Mr Boylan and Mr Lynch.

Question accordingly negatived.

New Clause

Amendment No 47 made: After clause 12 insert

"Independent Legal Guardian

***12A**.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (an "Independent Legal Guardian") to be appointed to assist, represent and support a child to whom this section applies.*

(2) This section applies to a child if—

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim; and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined; or

(c) there is reason to believe that the person is a separated child, in which case the person shall be presumed to be a separated child.

(3) Arrangements under this section must—

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the Independent Legal Guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person—

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of an Independent Legal Guardian only where the person with parental responsibility for the child—

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of an Independent Legal Guardian, including in particular provision for such termination—

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the Independent Legal Guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for—

(a) the training and qualifications required for a person to be eligible for appointment as an Independent Legal Guardian;

(b) the support to be provided for, and the supervision of, an Independent Legal Guardian.

(5) An Independent Legal Guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of an Independent Legal Guardian include (where appropriate)—

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for—

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom an Independent Legal Guardian has been appointed under this section must recognise, and pay due regard to, the functions of the guardian and must (to the extent otherwise permitted by law) provide the guardian with access to such information relating to the child as will enable the guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on Independent Legal Guardians.

(9) The arrangements under this section may provide for an Independent Legal Guardian appointed in relation to a person under the age of 18 to continue

(with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section—

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order);

"separated child" means a child who is outside their country of origin and has been separated from both parents, or from their previous legal or customary care giver, but not necessarily from other relatives. This may include children who have been trafficked, enslaved or exploited but are accompanied by other adults including community members, friends or members of their extended family.".— [Mr McCartney.]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 48 made: After clause 12 insert

*"**Defence for slavery or trafficking victims compelled to commit an offence***

***12B**.—(1) Subject to subsection (9), a person is not guilty of an offence if—*

(a) the person is over the age of 18 when the act which constitutes the offence was done;

(b) the person does that act because the person is compelled to do that act,

(c) the compulsion is attributable to slavery or to relevant exploitation, and

(d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act.

(2) "Relevant characteristics" means age, sex and any physical or mental illness or disability.

(3) A person may be compelled to do something by another person or by the person's circumstances.

(4) Compulsion is attributable to slavery or to relevant exploitation only if—

(a) it is, or is part of, conduct which constitutes an offence under section 1A or conduct which constitutes relevant exploitation, or

(b) it is a direct consequence of a person being, or having been, a victim of an offence under section 1A or a victim of relevant exploitation.

(5) For the purposes of subsection (4) "relevant exploitation" is exploitation (within the meaning of section 1C) that is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(6) Subject to subsection (9), a person is not guilty of an offence if—

(a) the person is a child at the time the act which constitutes the offence is done; and

(b) that act was done as a direct consequence of the person being, or having been, a victim of an offence under section 1A or of relevant exploitation.

(7) For the purposes of subsection (6) "relevant exploitation" is exploitation which falls within one or more of subsections (2) to (5) of section 1C and is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(8) In this section references to an act include an omission.

(9) This section does not apply to an offence which, in the case of a person over the age of 21, is punishable on indictment with imprisonment for life or for a term of at least 5 years, other than any of the following offences under the Misuse of Drugs Act 1971—

(a) an offence under section 4(2) committed in respect of a Class B or Class C drug;

(b) an offence under section 5(2) committed in respect of a Class B drug;

(c) an offence under section 6(2).

(10) The Department may by order amend subsection (9).".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

Clause 13 (Protection of victims in criminal investigations)

Amendment No 49 made: In page 8, line 6, leave out "chief officer of police" and insert "Chief Constable".— *[Lord Morrow.]*

Amendment No 50 made: In page 8, line 7, leave out "a human trafficking offence" and insert

"an offence under section 1A or 1B".— [Lord Morrow.]

Amendment No 51 made: No 51: In page 8, line 21, leave out "professionals" and insert "persons".— *[Lord Morrow.]*

Amendment No 52 made: No 52: In page 8, line 28, leave out "a reasoned decision" to end of line 29 and insert

"the police officer in charge of the investigation decides to the contrary and records the reasons for that decision in writing.".— [Lord Morrow.]

Clause 13, as amended, ordered to stand part of the Bill.

Clause 14 disagreed to.

New Clause

Amendment No 53 made: After clause 14 insert

*"**Special measures: amendments to the Criminal Evidence (Northern Ireland) Order 1999***

***14A**.—(1) The Criminal Evidence (Northern Ireland) Order 1999 is amended as follows.*

(2) In Article 3 after paragraph (1) insert—

"(1A) In this Order "a slavery or human trafficking offence" means an offence under—

(a) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour); or

(d) section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude, forced or compulsory labour and human trafficking).".

(3) In Article 5(4) (witnesses eligible for assistance on grounds of fear or distress about testifying) after "sexual offence" insert "or a slavery or human trafficking offence".

(4) In Article 13(4)(a) (evidence given in private) after "sexual offence" insert "or or a slavery or human trafficking offence".

(5) In Article 21 (interpretation etc. of Part 2) after paragraph (4) insert—

"(5) For the purposes of this Part as it applies in relation to a witness who is the complainant in respect of a slavery or human trafficking offence, where the age of the witness is uncertain and there are reasons to believe that the witness is under the age of 18, that witness is presumed to be under the age of 18.".

(6) In Article 22 (complainants in proceedings for sexual offences) after "sexual offence" insert "or a slavery or human trafficking offence".

(7) In Article 23 (child complainants and other child witnesses) in paragraph (3) for sub-paragraph (cc) substitute—

"(cc) a slavery or human trafficking offence;".

(8) In Article 39 (general supplementary provisions) after paragraph (2) insert—

"(3) Paragraph (2) is subject to Article 21(5).".".— [Lord Morrow.]

After clause 14 insert

*"**Special measures: amendments to the Criminal Evidence (Northern Ireland) Order 1999***

***14A**.—(1) The Criminal Evidence (Northern Ireland) Order 1999 is amended as follows.*

(2) In Article 3 after paragraph (1) insert—

"(1A) In this Order "a slavery or human trafficking offence" means an offence under—

(a) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour); or

(d) section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude, forced or compulsory labour and human trafficking).".

(3) In Article 5(4) (witnesses eligible for assistance on grounds of fear or distress about testifying) after "sexual offence" insert "or a slavery or human trafficking offence".

(4) In Article 13(4)(a) (evidence given in private) after "sexual offence" insert "or or a slavery or human trafficking offence".

(5) In Article 21 (interpretation etc. of Part 2) after paragraph (4) insert—

"(5) For the purposes of this Part as it applies in relation to a witness who is the complainant in respect of a slavery or human trafficking offence, where the age of the witness is uncertain and there are reasons to believe that the witness is under the age of 18, that witness is presumed to be under the age of 18.".

(6) In Article 22 (complainants in proceedings for sexual offences) after "sexual offence" insert "or a slavery or human trafficking offence".

(7) In Article 23 (child complainants and other child witnesses) in paragraph (3) for sub-paragraph (cc) substitute—

"(cc) a slavery or human trafficking offence;".

(8) In Article 39 (general supplementary provisions) after paragraph (2) insert—

"(3) Paragraph (2) is subject to Article 21(5).".".— [Lord Morrow.]

New clause ordered to stand part of the Bill.

Clause 15 disagreed to.

Clause 16 ordered to stand part of the Bill.

Clause 17 (General interpretation)

Mr Principal Deputy Speaker: We now come to the fifth debate —

Some Members: Hear, hear.

Mr Principal Deputy Speaker: — which comprises amendment Nos 54 to 59 and amendment Nos 63 and 64, as well as opposition to clauses 17 and 18 standing part. This group deals with commencement, a new short title for the Bill, orders and regulations and technical schedules. Members will note that amendment No 54 is mutually exclusive with clause 17 standing part and amendment No 56 is mutually exclusive with clause 18 standing part. I call the Minister to speak to opposition to clause 17 and to address the other oppositions and amendments in the group.

Question proposed, That the clause stand part of the Bill.

The following amendments stood on the Marshalled List:

No 54: After clause 17 insert

*"**Interpretation of this Act***

***17A**.—(1) In this Act—*

"child" means a person under the age of 18;

"country" includes territory or other part of the world;

"the Department" means the Department of Justice;

"the Human Rights Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4th November 1950;

"public authority" means any public authority within the meaning of section 6 of the Human Rights Act 1998 (other than a court or tribunal) which exercises functions wholly or mainly in Northern Ireland;

"UK national" means—

(a) a British citizen;

(b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has a right of abode in the United Kingdom; or

(c) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar;

"vulnerable adult" means a person aged 18 or over whose ability to protect himself or herself from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason.

(2) For the purposes of this Act—

(a) a person is in a position of trust in relation to another person in the circumstances mentioned in Article 28 of the Sexual Offences (Northern Ireland) Order 2008;

(b) a person is a member of another person's family if the relation of that person to the other person is within Article 34 of that Order.

(3) For the purposes of the exercise of any function under this Act relating to a child, if—

(a) the age of a person ("P") is uncertain; and

(b) the person exercising the function has reason to believe that P is a child,

P is to be treated as a child.".— [Mr Ford (The Minister of Justice).]

No 55: After clause 17 insert

*"**Amendments, repeals and consequential provision***

***17B**.—(1) The statutory provisions set out in Schedule 4 have effect subject to the amendments in that Schedule.*

(2) The statutory provisions set out in Schedule 5 are repealed to the extent specified in the second column of that Schedule.

(3) The repeal of a provision by this Act does not affect the operation of that provision in relation to an offence committed before the coming into operation of that repeal.

(4) The Department may by order make whatever provision the Department thinks appropriate in consequence of this Act.

(5) The provision which may be made by order under subsection (4) includes provision amending, repealing or revoking any statutory provision.".— [Mr Ford (The Minister of Justice).]

No 56: After clause 18 insert

*"**Orders and regulations***

***18A**.—(1) Subject to subsections (2) to (5), orders made by the Department under this Act and regulations under this Act are subject to negative resolution.*

(2) Subsection (1) does not apply to an order under section 19 (commencement).

(3) Orders to which subsection (4) applies shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

(4) This subsection applies to—

(a) an order under section 12B(10)(power to amend list of offences excluded from defence in section 12B);

(b) an order under section 17B(4) (consequential provision) which amends or repeals any provision of an Act or of Northern Ireland legislation;

(c) an order under paragraph 1(5) of Schedule 3 (power to amend definition of "slavery or human trafficking offence");

(d) an order under paragraph 2(7) of Schedule 3 (provision as to additional applicants for slavery and trafficking prevention orders);

(e) an order under paragraph 17 of Schedule 3 (cross-border enforcement of certain court orders).

(5) Regulations under section 5F (duty to notify National Crime Agency) or 12A(8) (additional functions for child trafficking guardians) shall not be made unless a draft of the order has been laid before and approved by resolution of the Assembly.

(6) Regulations under this Act and orders made by the Department under this Act may include saving, transitional, transitory, supplementary or consequential provision.".— [Mr Ford (The Minister of Justice).]

No 57: In clause 19, page 10, leave out line 11 and insert

"(Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".— [Mr Ford (The Minister of Justice).]

No 58: In clause 19, page 10, line 12, leave out subsection (2) and insert

"(2) The following provisions of this Act come into operation on the day after Royal Assent—

(a) section 17A (interpretation);

(b) section 17B(4) and (5) (consequential provision);

(c) section 18A (orders and regulations);

(d) this section.

(3) The other provisions of this Act come into operation on such day or days as the Department may by order appoint.".— [Mr Ford (The Minister of Justice).]

No 59: at end insert

"or, in the absence of such an order, 6 months after Royal Assent".— [Mr Ford (The Minister of Justice).]

No 63: After clause 19 insert

"SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS RELATING TO OFFENCES UNDER SECTION 1A OR 1B

THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968 (C. 34)

1. In Schedule 1 (offences against children and young persons to which special provisions of the Act apply) at the end add—

"An offence against a child or young person under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or any attempt to commit such an offence.".

THE IMMIGRATION ACT 1971 (C. 77)

2. In section 25C (forfeiture of vehicle, ship or aircraft) in subsections (9)(b), (10)(b) and (11) for the words from "a passenger" to the end substitute "the victim of conduct which constitutes an offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland 2014".

THE POLICE AND CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1989 (NI 12)

3. In Article 53A(2) (questioning and treatment of persons by police: meaning of "qualifying offence") at the end add—

"(t) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

THE SEXUAL OFFENCES (AMENDMENT) ACT 1992 (C. 34)

4. In section 2(3) (offences under law of Northern Ireland to which the Act applies)—

(a) after paragraph (hb) insert—

"(hc) any offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014;";

(b) in paragraph (i) for "(hb)" substitute "(hc)".

THE SEXUAL OFFENCES ACT 2003 (C. 42)

5. In Schedule 5 (relevant offences for purposes of notification and orders) after paragraph 171B insert—

"171C An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) ACT 2004 (C. 19)

6. In section 14(2) (immigration officers' power of arrest) after paragraph (q) insert—

"(r) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE SERIOUS CRIME ACT 2007 (C. 27)

7. In paragraph 18 of Part 2 of Schedule 1 (serious offences in Northern Ireland) at the end add—

"(4) An offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

PART 2

AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1994 (NI 15)

8. In Article 16(a) (review of compensation orders) for the words from "a confiscation order" to the end substitute "either or both of the following made against him in the same proceedings—

(i) a confiscation order under Part 4 of the Proceeds of Crime Act 2002;

(ii) a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014; or".

THE SOCIAL SECURITY (RECOVERY OF BENEFITS) (NORTHERN IRELAND) ORDER 1997 (NI 12)

9. In paragraph 2 of Schedule 1 (exempted payments) for "1994 or" substitute "1994, Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or".

THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1996 (NI 24)

10. In Article 4(5) (absolute and conditional discharge) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

11. In Article 13(11) (community service order) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE PROCEEDS OF CRIME ACT 2002 (C. 29)

12.—(1) Section 163 (effect of confiscation order on court's other powers) is amended as follows.

(2) In subsection (3)(a) at the end add "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders)".

(3) In subsection (5)—

(a) in paragraph (a) for "both a confiscation order and" substitute "a confiscation order and one or both of" and after "1994 (SI 1994/2795 (N.I. 15)" insert "and a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014,";

(b) in paragraph (b) for "both the orders" substitute "all the orders".

(4) In subsection (6) (priorities of confiscation orders and other orders) for the words from "of the compensation" to "as it specifies" substitute "as it specifies of the amount (or amounts) payable under the other order (or orders) mentioned in subsection (5)(a)".

13. In section 182(7)(b) (court's powers on appeal) at the end insert "so far as they relate to such orders".

14. In section 183(9)(b) (appeal to Supreme Court) at the end insert "so far as they relate to such orders".

15. In section 205(5) (application of sums received under confiscation order to pay compensation) for the words "of compensation" substitute "payable under any other order (or orders)".

16. In section 308 (general exceptions to concept of recoverable property) after subsection (4) insert—

"(4A) If—

(a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014, and

(b) apart from this subsection, the sum received would be recoverable property,

the property ceases to be recoverable.".

THE RECOVERY OF HEALTH SERVICE CHARGES (NORTHERN IRELAND) ORDER 2006 (NI 13)

17. In paragraph 1 of Schedule 1 (recovery of health care charges: exemptions)—

(a) omit "or" at the end of sub-paragraph (b);

(b) after sub-paragraph (c) insert—

"(d) Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders).".

THE JUSTICE (NORTHERN IRELAND) ACT 2012 (C. 24)

18. In section 1(5) (offender levy) after "1994 (NI 15)" insert "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or both" and for "appropriate compensation" substitute "and appropriate amounts under such of those orders as it would be appropriate to make".".— [Mr Ford (The Minister of Justice).]

No 64: After clause 19 insert

"SCHEDULE 5

REPEALS

Short Title	*Extent of Repeal*
The Children and Young Persons Act (Northern Ireland) 1968 (c. 38)	*In Schedule 1 the entry relating to an offence under any of sections 57 to 59 of the Sexual Offences Act 2003.*
The Sexual Offences (Amendment) Act 1992 (c.34)	*In section 2(3)(ha) the words "57 to 59".*
The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)	*Article 3(1)(ga).*
The Proceeds of Crime Act 2002 (c. 29)	*In Schedule 5, paragraph 4(2) and (3).*
The Sexual Offences Act 2003 (c. 42)	*Sections 57 to 60C.*
	In section 142(2) the words "57 to 60C".
	In Schedule 5, paragraph 171.
	In Schedule 6, paragraphs 42(2) and (3)(a) and 46(4).
The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)	*Section 4.*
	Section 5(3) to (5), (9) and (10).
	Section 14(2)(n) and (p).
The Violent Crime Reduction Act 2006 (c.38)	*Section 54.*
	Schedule 4.
The Serious Crime Act 2007 (c.27)	*In Schedule 1, paragraph 18(2) and (3).*
The UK Borders Act 2007 (c. 30)	*Section 31.*
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	*In Schedule 1 in paragraph 28 the entries for sections 57 to 59.*
	In Part 2 of Schedule 2 in paragraph 13 the entries for sections 57 to 59.
The Sexual Offences (Northern Ireland) Order 2008 (NI 2)	*In Article 66(2), sub-paragraph (b) and the word "or" immediately before it.*
	In Schedule 1, paragraph 12(4)(h).
The Borders, Citizenship and Immigration Act 2009 (c.11)	*Section 54.*
The Coroners and Justice Act 2009 (c. 25)	*Section 71.*
The Criminal Justice Act (Northern Ireland) 2013 (c. 7)	*Sections 6 to 8.*

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

No 64: After clause 19 insert

"SCHEDULE 5

REPEALS

Short Title	*Extent of Repeal*
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The Sexual Offences (Amendment) Act 1992 (c.34)	*In section 2(3)(ha) the words "57 to 59".*
The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)	*Article 3(1)(ga).*
The Proceeds of Crime Act 2002 (c. 29)	*In Schedule 5, paragraph 4(2) and (3).*

Short Title	*Extent of Repeal*
The Sexual Offences Act 2003 (c. 42)	*Sections 57 to 60C.* *In section 142(2) the words "57 to 60C".* *In Schedule 5, paragraph 171.* *In Schedule 6, paragraphs 42(2) and (3)(a) and 46(4).*
The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)	*Section 4.* *Section 5(3) to (5), (9) and (10).* *Section 14(2)(n) and (p).*
The Violent Crime Reduction Act 2006 (c.38)	*Section 54.* *Schedule 4.*
The Serious Crime Act 2007 (c.27)	*In Schedule 1, paragraph 18(2) and (3).*
The UK Borders Act 2007 (c. 30)	*Section 31.*
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	*In Schedule 1 in paragraph 28 the entries for sections 57 to 59.* *In Part 2 of Schedule 2 in paragraph 13 the entries for sections 57 to 59.*
The Sexual Offences (Northern Ireland) Order 2008 (NI 2)	*In Article 66(2), sub-paragraph (b) and the word "or" immediately before it.* *In Schedule 1, paragraph 12(4)(h).*
The Borders, Citizenship and Immigration Act 2009 (c.11)	*Section 54.*
The Coroners and Justice Act 2009 (c. 25)	*Section 71.*
The Criminal Justice Act (Northern Ireland) 2013 (c. 7)	*Sections 6 to 8.*

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

Mr Ford: I am sure that Members of the House — at least, those who are not currently exiting — will welcome the opportunity to debate this final group looking at the supplementary measures to ensure that we have a detailed and considered examination of all of the issues that they contain. I am grateful for the opportunity to finally speak to this small group of amendments.

I formally register my opposition to clause 17, which, Lord Morrow and I agree, should be replaced by the new clause 17A by amendment No 54 and would therefore no longer stand part of the Bill. Amendment Nos 54 to 57 relate to the Bill's supplementary provisions at clauses 17 to 19 and are largely technical in nature. They reflect and, in part, are consequential to the considerable changes that have been agreed to the rest of the Bill. The amendments have the support of Lord Morrow, the Justice Committee and the Executive.

Amendment No 54 introduces new clause 17A, which, as I said, is intended to replace clause 17, which sets out general interpretation provisions. The new clause expands on the original clause, although, given the nature and extent of the necessary amendments, Lord Morrow and I agreed that the clearest way to achieve the changes was to replace clause 17 in its entirety, albeit not its effect. Amendment Nos 55, 63 and 64 introduce new clause 17B and new schedules 4 and 5 respectively. They make provision for amendments, repeals and consequential provision. New clause 17B includes an order-making power that allows the Department to make further consequential provision, if required, and stipulates that the orders must be by way of affirmative resolution.

Amendment No 56, which covers clause 18, deals with orders made by the Department. Again, in view of the significant changes to the Bill, more comprehensive provision must be made. Therefore, amendment No 56 deals with clause 18 and replaces it with new clause 18A. The new clause makes provision in respect of the order-making and regulatory powers provided for under the Bill and specifies that orders and regulations made under the Bill will be subject to negative resolution, except where otherwise specified in subsections (2) to (5).

Clause 19 sets out the Bill's short title and arrangements for commencement. Amendment No 57, tabled jointly by Lord Morrow and me, will change the Bill's short title. Members will agree that the significant body of amendments and new provisions that we have debated yesterday and today will transform the shape of the Bill while preserving its fundamental aims and principles of strengthening law enforcement's capacity to tackle these crimes and protecting and supporting victims. The Bill's original short title is no longer considered appropriate, so amendment No 57 changes the short title to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Bill to reflect its new comprehensive nature.

I have tabled amendment No 58 to make provision for the commencement of most of the provisions under the Bill by order, with the exception of those relating to interpretation, consequential provision and orders and regulations, which should come into operation on the day after Royal Assent. Lord Morrow, the Justice Committee and I share a wish to see the Bill in its entirety commencing as soon as possible after Royal Assent. At this stage, there is clearly a slight difference between the Committee and me, with the Committee having tabled amendment No 55 to bring in a specific time limit. Given the complexity of the amendments that we have passed, it would be better to take the time between now and Further Consideration Stage to see whether we can get agreement. There will be practical issues not only for my Department but for DHSSPS if there were a specific time limit. Given the good work that has been done by the Committee, Lord Morrow, his colleagues and my staff in dealing with the issue, I believe that we can resolve those issues before Further Consideration Stage. Therefore, I will not move amendment No 58.

Mr Givan: As the Minister indicated, this group of amendments is technical in nature. They deal with the general interpretation provisions, make provision in respect of orders to be made by the Department under the Bill, change the short title and set out the commencement provisions.

I will concentrate my remarks on amendment No 59, which the Committee has brought forward today. It deals with the commencement provisions and amends the Minister's amendment to ensure that, if the provisions in the Bill have not been commenced by ministerial order, they will come into operation six months after Royal Assent. The Committee first considered the commencement powers at Committee Stage when the Attorney General suggested that the Assembly may wish to make provision in the Bill for its commencement without reference to action by the Department. That was to avoid placing the Department in the position of having to decide when to commence provisions with which it was not in policy agreement, such as clauses 4 and 6, which the Minister opposed today.

The Committee discussed the matter, and members were of the view that it would be preferable to remove the requirement to commence the Bill from the Department of Justice. Having considered several options, the Committee agreed that the preferred approach would be to build in some time between the Bill receiving Royal Assent and its commencement to enable the Departments and organisations that will be responsible for the implementation of the provisions in the Bill to develop the necessary measures and procedures, particularly in relation to support services and training. The Committee therefore agreed to table an amendment to clause 19 to commence the Bill three months after it receives Royal Assent. It subsequently agreed the wording of the amendment at a meeting just before Committee Stage finished in April.

More recently, Lord Morrow wrote to the Committee regarding the introduction of a new clause. We have just debated that clause, and its purpose is to support those who wish to exit prostitution. He indicated that, to provide the necessary time to put in place effective support measures, it would be helpful if there was a longer time frame for the commencement of the Bill than the three months set out in the Committee's amendment. As I indicated earlier, the Committee recognises the need for a support services package to be in place for those who wish to exit prostitution, and it was sympathetic to that request. The Committee therefore agreed to extend the timescale in our initial amendment from three months to six months.

Given that the Minister was proposing an amendment to the commencement provisions in clause 19, the Committee decided to table amendment No 59, which amends his amendment. The benefit of that approach is that it enables section 17A, sections 17B(4) and (5), section 18A and section 19 to come into operation on the day after Royal Assent, which is something that the Minister has indicated he wants by way his amendment. That provides him with the flexibility to commence other provisions in the Bill within six months if he wishes to do so and achieves the Committee's aim of removing the requirement to commence all the provisions from the Department by providing for any provisions not already commenced by an order to come into effect six months after Royal Assent whilst providing an appropriate time frame to develop the necessary support services.

For the reasons that I have outlined, the Committee's amendment to the Minister's amendment is the most appropriate way to deal with the commencement of the provisions in the Bill. The Minister has now indicated that he will not move his amendment, and therefore I am not in a position, on behalf of the Committee, to move an amendment amending his amendment. Whilst the Minister and the Committee and I have a good relationship, it is fair to say that the House has previously voted on issues and it has been left to the Department to implement the related measures by way of an order, yet that has not happened because those measures did not meet the Department's policy view. I have commented on that in the past, and it is regrettable. Given, therefore, the views of the Department and the Minister on clause 6, which the Assembly passed by 81 votes to 10, with the Alliance Party being the only party that opposed it, the Committee felt that it would be appropriate —

Mr Ford: There are not 10 of us.

Mr Givan: The Alliance Party, Steven Agnew, Basil McCrea and John McCallister. Don't worry, we know who they are and the constituencies they are from.

Given that there were only 10 Members, Members will want to make sure that the will of Parliament is implemented. That is why the Committee was proposing to remove the power of the Department to bring the provisions in by way of an order and to put in place a time limit of six months. Obviously, that was also to facilitate support packages being developed properly so that the two could go in tandem. We will come back to this at Further Consideration Stage. In the spirit in which the Minister has engaged with Lord Morrow and the Committee, I trust that, on this issue, we will be able to engage together and agree an amendment that satisfies everybody. If that is not the case, we will, I trust, table a Committee amendment again at Further Consideration Stage to give effect to the issues that I have just outlined.

Mr Dickson: I do not intend to speak any further in this debate other than to say that I support the Minister.

1.45 am

Lord Morrow: I have good news too for the House: I will be very brief, so we are coming near the end.

Members, by this stage of the debate, will know that I have not been slow to listen and to revise aspects of my Bill when a good case has been made for doing so.

I am grateful for all the constructive input that I have received. As a result of these changes, there are some further definitions that need to be included in the Bill. I am therefore supporting the Minister's intention to oppose clause 17 and introduce new clause 17A in its place and new clause 17B and schedules 4 and 5, which set out the minor and consequential amendments and repeals where there are references to previous legislation. I hope that Members will not find any matters of controversy in those additions. The only issue that might have been of concern is the matter of dealing with a young person whose age is in dispute in new clause 17A. I encourage Members to support the removal of clause 17 and amendment Nos 54, 55, 63 and 64, which introduce those new clauses and amendments.

As a result of amendments that we have agreed today, my Bill now contains more order-making powers, and the Minister of Justice has suggested that it is no longer necessary for all those to be made by affirmative resolution, which is currently required by clause 18. I am fully supportive of the Minister of Justice's proposal to

oppose current clause 18 and to replace it with a new clause 18A. I very much agree that certain regulations will still need to be made by affirmative resolution so that the Assembly has an active role in scrutinising changes in powers to, for instance, the functions of a child trafficking guardian. The Minister has already dealt with the detail of new clause 18A, and I encourage Members to oppose clause 18 and to support amendment No 56.

As I said at the start of the debate, I am very grateful for all the cooperation from the Department of Justice on the amendments to my Bill. Many of the amendments arose from its consultation. As a result of the new clauses that we have added to the Bill, it now has a larger criminal justice element than when it was first drafted. To reflect that, I fully support amendment No 57 to change the title of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Act.

The issue of how best to commence the provisions of my Bill has been the subject of some debate in recent months. At the current time, I am minded to support both the Minister's amendment No 58 and the Justice Committee's amendment No 59 for all clauses of my Bill to commence six months after Royal Assent is granted unless they have already commenced by order from the relevant Departments. I am of the view that six months should be long enough for the Departments of Health, Finance and Justice to prepare to commence all the clauses of my Bill. I believe that it is important that the relevant Departments be given time to prepare to bring forward the relevant provisions and that there should be a cut-off date as put forward by the Justice Committee.

Mr Ford: It will not take long to respond to the points that were made. I will respond to one point that was made by the Committee Chair, when he referred to issues in a previous piece of legislation that were not commenced by the Department. If he is referring to certain aspects of the first Bill that was passed by the House following devolution relating to young people and firearms, those are issues that are still under consultation with those involved in shooting interests to ensure that we get the best possible legislation. The reality is that, at the moment, the Department of Justice is busy commencing various bits of legislation that have been lying around for a considerable period of years.

On the precise timing, it is my understanding that it is not just an issue for the DOJ or any unwillingness; I am well aware of what the will of the House is. There are real practical issues, especially as one of the amendments passed in the previous group imposes specific requirements on DHSSPS, which went beyond what that Department was expecting. I suspect that it may have more difficulty with commencement times than my Department will. That is why I believe that it is appropriate that we do not push that point today but engage in discussions in the usual constructive way in which we have dealt with matters so far. We shall look to that. Other than that, the amendments in this group are entirely technical, and I commend them to the House.

Mr Principal Deputy Speaker: The Minister and Lord Morrow's opposition to clause 17 has been debated.

Question, That the clause stand part of the Bill, put and negatived.

Clause 17 disagreed to.

New Clause

Mr Principal Deputy Speaker: Amendment No 54 has already been debated. Amendment No 54 made:

After clause 17 insert

"Interpretation of this Act

17A.—(1) In this Act—

"child" means a person under the age of 18;

"country" includes territory or other part of the world;

"the Department" means the Department of Justice;

"the Human Rights Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4th November 1950;

"public authority" means any public authority within the meaning of section 6 of the Human Rights Act 1998 (other than a court or tribunal) which exercises functions wholly or mainly in Northern Ireland;

"UK national" means—

(a) a British citizen;

(b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has a right of abode in the United Kingdom; or

(c) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar;

"vulnerable adult" means a person aged 18 or over whose ability to protect himself or herself from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason.

(2) For the purposes of this Act—

(a) a person is in a position of trust in relation to another person in the circumstances mentioned in Article 28 of the Sexual Offences (Northern Ireland) Order 2008;

(b) a person is a member of another person's family if the relation of that person to the other person is within Article 34 of that Order.

(3) For the purposes of the exercise of any function under this Act relating to a child, if—

(a) the age of a person ("P") is uncertain; and

(b) the person exercising the function has reason to believe that P is a child,

P is to be treated as a child.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 55 made:

After clause 17 insert

*"**Amendments, repeals and consequential provision***

***17B**.—(1) The statutory provisions set out in Schedule 4 have effect subject to the amendments in that Schedule.*

(2) The statutory provisions set out in Schedule 5 are repealed to the extent specified in the second column of that Schedule.

(3) The repeal of a provision by this Act does not affect the operation of that provision in relation to an offence committed before the coming into operation of that repeal.

(4) The Department may by order make whatever provision the Department thinks appropriate in consequence of this Act.

(5) The provision which may be made by order under subsection (4) includes provision amending, repealing or revoking any statutory provision.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

Mr Principal Deputy Speaker: Opposition to clause 18 has already been debated.

Clause 18 disagreed to.

New Clause

Amendment No 56 made: After clause 18 insert

*"**Orders and regulations***

***18A**.—(1) Subject to subsections (2) to (5), orders made by the Department under this Act and regulations under this Act are subject to negative resolution.*

(2) Subsection (1) does not apply to an order under section 19 (commencement).

(3) Orders to which subsection (4) applies shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

(4) This subsection applies to—

(a) an order under section 12B(10)(power to amend list of offences excluded from defence in section 12B);

(b) an order under section 17B(4) (consequential provision) which amends or repeals any provision of an Act or of Northern Ireland legislation;

(c) an order under paragraph 1(5) of Schedule 3 (power to amend definition of "slavery or human trafficking offence");

(d) an order under paragraph 2(7) of Schedule 3 (provision as to additional applicants for slavery and trafficking prevention orders);

(e) an order under paragraph 17 of Schedule 3 (cross-border enforcement of certain court orders).

(5) Regulations under section 5F (duty to notify National Crime Agency) or 12A(8) (additional functions for child trafficking guardians) shall not be made unless a draft of the order has been laid before and approved by resolution of the Assembly.

(6) Regulations under this Act and orders made by the Department under this Act may include saving, transitional, transitory, supplementary or consequential provision.".— [Mr Ford (The Minister of Justice).]

New clause ordered to stand part of the Bill.

Clause 19 (Short title and commencement)

Amendment No 57 made:

In clause 19, page 10, leave out line 11 and insert

"(Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".— [Mr Ford (The Minister of Justice).]

Amendment No 58 not moved.

Mr Principal Deputy Speaker: I will not call amendment No 59 as it is an amendment to amendment No 58.

Clause 19, as amended, ordered to stand part of the Bill.

New Schedule

Amendment No 60 made: After clause 19 insert

'SCHEDULES

SCHEDULE 1

DETENTION AND FORFEITURE OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

FORFEITURE ON CONVICTION OF OFFENCE UNDER SECTION 1A OR 1B

1.—(1) This paragraph applies if a person is convicted of an offence under section 1A or 1B.

(2) The court may order the forfeiture of a land vehicle used or intended to be used in connection with the offence if the convicted person—

(a) owned the vehicle at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the vehicle,

(c) was at that time in possession of the vehicle under a hire-purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the vehicle under a hire-purchase agreement, or

(e) was driving the vehicle in the course of the commission of the offence.

(3) The court may order the forfeiture of a ship or aircraft used or intended to be used in connection with the offence if the convicted person—

(a) owned the ship or aircraft at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the ship or aircraft,

(c) was at that time in possession of the ship or aircraft under a hire purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the ship or aircraft under a hire-purchase agreement,

(e) was at that time a charterer of the ship or aircraft, or

(f) committed the offence while acting as captain of the ship or aircraft.

(4) But where sub-paragraph (3)(a) or (b) does not apply to the convicted person, forfeiture of a ship or aircraft may be ordered only if sub-paragraph (5) applies or—

(a) in the case of a ship (other than a hovercraft), its gross tonnage is less than 500 tons;

(b) in the case of an aircraft, the maximum weight at which it may take off in accordance with its certificate of airworthiness is less than 5,700 kilogrammes.

(5) This sub-paragraph applies where a person who, at the time the offence was committed—

(a) owned the ship or aircraft, or

(b) was a director, secretary or manager of a company which owned it,

knew or ought to have known of the intention to use it in the course of the commission of an offence under section 1A or 1B.

(6) Where a person who claims to have an interest in a land vehicle, ship or aircraft applies to a court to make representations about its forfeiture, the court may not order its forfeiture without giving the person an opportunity to make representations.

DETENTION OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

2.—(1) If a person ("P") has been arrested for an offence under section 1A or 1B, a constable may detain a relevant land vehicle, ship or aircraft.

(2) A land vehicle, ship or aircraft is relevant if the constable has reasonable grounds to believe that an order for its forfeiture could be made under paragraph 1 if P were convicted of the offence.

(3) The land vehicle, ship or aircraft may be detained—

(a) until a decision is taken as to whether or not to charge P with the offence,

(b) if P has been charged, until P is acquitted, the charge against P is dismissed or the proceedings are discontinued, or

(c) if P has been charged and convicted, until the court decides whether or not to order forfeiture of the vehicle, ship or aircraft.

(4) A person (other than P) may apply to the court for the release of the land vehicle, ship or aircraft on the grounds that the person—

(a) owns the vehicle, ship or aircraft,

(b) was, immediately before the detention of the vehicle, ship or aircraft, in possession of it under a hire-purchase agreement, or

(c) is a charterer of the ship or aircraft.

(5) The court to which an application is made under sub-paragraph (4) may, if satisfactory security or surety is tendered, release the land vehicle, ship or aircraft on condition that it is made available to the court if—

(a) P is convicted, and

(b) an order for its forfeiture is made under paragraph 1.

(6) In this paragraph "the court" means—

(a) if P has not been charged, or P has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;

(b) if P has been charged and proceedings for the offence have begun to be heard, the court hearing the proceedings.

INTERPRETATION

3.—(1) In this Schedule—

"captain" means master (of a ship) or commander (of an aircraft);

"land vehicle" means any vehicle other than a ship or aircraft;

"ship" includes every description of vessel (including a hovercraft) used in navigation.

(2) In this Schedule a reference to being an owner of a vehicle, ship or aircraft includes a reference to being any of a number of persons who jointly own it.".— [Mr Ford (The Minister of Justice).]

Schedule 1 agreed to.

New Schedule

Amendment No 61 made:

After clause 19 insert

"SCHEDULE 2

SLAVERY AND TRAFFICKING REPARATION ORDERS

POWER TO MAKE SLAVERY AND TRAFFICKING REPARATION ORDER

1.—(1) The Crown Court may make a slavery and trafficking reparation order against a person if—

(a) the person has been convicted of an offence under section 1A, 1B or 1D, and

(b) the Crown Court makes a confiscation order against the person in respect of the offence.

(2) The Crown Court may also make a slavery and trafficking reparation order against a person if—

(a) by virtue of section 178 of the Proceeds of Crime Act 2002 (defendants who abscond during proceedings) it has made a confiscation order against a person in respect of an offence under section 1A, 1B or 1D, and

(b) the person is later convicted of the offence.

(3) The court may make a slavery and trafficking reparation order against the person in addition to dealing with the person in any other way (subject to paragraph 3(1)).

(4) In a case within sub-paragraph (1) the court may make a slavery and trafficking reparation order against the person even if the person has been sentenced for the offence before the confiscation order is made.

(5) In determining whether to make a slavery and trafficking reparation order against the person the court must have regard to the person's means.

(6) If the court considers that—

(a) it would be appropriate both to impose a fine and to make a slavery and trafficking reparation order, but

(b) the person has insufficient means to pay both an appropriate fine and appropriate compensation under such an order,

the court must give preference to compensation (although it may impose a fine as well).

(7) In any case in which the court has power to make a slavery and trafficking reparation order it must—

(a) consider whether to make such an order (whether or not an application for such an order is made), and

(b) if it does not make an order, give reasons.

(8) In this paragraph—

(a) "confiscation order" means a confiscation order under section 156 of the Proceeds of Crime Act 2002;

(b) a confiscation order is made in respect of an offence if the offence is the offence (or one of the offences) concerned for the purposes of Part 4 of that Act.

EFFECT OF SLAVERY AND TRAFFICKING REPARATION ORDER

2.—(1) A slavery and trafficking reparation order is an order requiring the person against whom it is made to pay compensation to the victim of a relevant offence for any harm resulting from that offence.

(2) "Relevant offence" means—

(a) the offence under section 1A, 1B or 1D of which the person is convicted;

(b) any other offence under section 1A, 1B or 1D which is taken into consideration in determining the person's sentence.

(3) The amount of the compensation is to be such amount as the court considers appropriate having regard to any evidence and to any representations made by or on behalf of the person or the prosecutor, but subject to sub-paragraph (4).

(4) The amount of the compensation payable under the slavery and trafficking reparation order (or if more than one order is made in the same proceedings, the total amount of the compensation payable under those orders) must not exceed the amount the person is required to pay under the confiscation order.

(5) In determining the amount to be paid by the person under a slavery and trafficking reparation order the court must have regard to the person's means.

(6) A slavery and trafficking reparation order is enforceable in the same manner as any fine which has been, or might have been, imposed in respect of the offence for which the person has been convicted by the court making the order.

(7) In sub-paragraph (4) "the confiscation order" means the confiscation order within paragraph 1(1)(b) or (2)(a) (as the case may be).

SUPPLEMENTARY

3.—(1) A slavery and trafficking reparation order and a compensation order under Article 14 of the Criminal Justice (Northern Ireland) Order 1994 may not both be made in respect of the same offence.

(2) Where the court makes a slavery and trafficking reparation order as mentioned in paragraph 1(4), for the purposes of the following provisions the person's sentence is to be regarded as imposed or made on the day on which the order is made—

(a) section 16(1) of the Criminal Appeal (Northern Ireland) Act 1980 (time limit for notice of appeal or application for leave to appeal);

(b) paragraph 1 of Schedule 3 to the Criminal Justice Act 1988 (time limit for notice of application for leave to refer a case under section 36 of that Act).

(3) Articles 15 to 17 of the Criminal Justice (Northern Ireland) Order 1994 (appeals, review etc. of compensation orders) apply to slavery and trafficking reparation orders as if—

(a) references to a compensation order were references to a slavery and trafficking reparation order;

(b) references to injury, loss or damage were references to harm;

(c) in Article 16(a) (as amended by Schedule 4) for sub-paragraph (ii) there were substituted—

"(ii) a compensation order under Article 14 of this Order; or";

(d) in Article 17 the references to service compensation orders or awards were omitted.

(4) If under section 171 or 172 of the Proceeds of Crime Act 2002 the court varies a confiscation order so as to increase the amount required to be paid under that order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order so as to increase the amount required to be paid under the slavery and trafficking reparation order.

(5) If under section 173 or 179 of that Act the court varies a confiscation order so as to reduce the amount required to be paid under that order, it may also—

(a) vary any relevant slavery and trafficking reparation order so as to reduce the amount which remains to be paid under that order;

(b) discharge any relevant slavery and trafficking reparation order.

(6) If under section 174 of that Act the court discharges a confiscation order, it may also discharge any relevant slavery and trafficking reparation order.

(7) For the purposes of sub-paragraphs (5) and (6) a slavery and trafficking reparation order is relevant if it is made by virtue of the confiscation order and some or all of the amount required to be paid under it has not been paid.

(8) If on an appeal under section 181 of the Proceeds of Crime Act 2002 the Court of Appeal—

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order;

(c) makes a confiscation order, it may make any slavery and trafficking reparation order the Crown Court could have made if it had made the confiscation order.

(9) If on an appeal under section 183 of that Act the Supreme Court—

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order.

(10) For the purposes of this paragraph—

(a) a slavery and trafficking reparation order made under paragraph 1(1) is made by virtue of the confiscation order within paragraph 1(1)(b);

(b) a slavery and trafficking reparation order made under paragraph 1(2) is made by virtue of the confiscation order within paragraph 1(2)(a).".— [Mr Ford (The Minister of Justice).]

Schedule 2 agreed to.

New Schedule

Amendment No 62 made:

After clause 19 insert

"SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 1

MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

SLAVERY AND TRAFFICKING PREVENTION ORDERS ON DEALING WITH DEFENDANT

1.—(1) A court may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") where it deals with the defendant in respect of—

(a) a conviction for a slavery or human trafficking offence,

(b) a finding that the defendant is not guilty of a slavery or human trafficking offence by reason of insanity, or

(c) a finding that the defendant is unfit to plead and has done the act charged against the defendant in respect of a slavery or human trafficking offence.

(2) The court may make the order only if it is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(3) For the purposes of sub-paragraph (1), convictions and findings include those taking place before this Schedule comes into operation.

(4) In this Schedule a "slavery or human trafficking offence" means any of the following offences—

(a) an offence under section 145 of the Nationality, Immigration and Asylum Act 2002 (trafficking for prostitution);

(b) an offence under section 57, 58, 58A, 59 or 59A of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(c) an offence under section 62 of that Act (committing offence with intent to commit relevant sexual offence), where the relevant sexual offence the person in question intended to commit was an offence under section 57, 58, 58A, 59 or 59A of that Act;

(d) an offence under section 22 of the Criminal Justice (Scotland) Act 2003 (trafficking for prostitution);

(e) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(f) an offence under section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour);

(g) an offence under section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour);

(h) an offence under section 1A, 1B or 1D of this Act;

(i) an offence of attempting or conspiring to commit an offence listed above;

(j) an offence committed by aiding, abetting, counselling, procuring or inciting the commission of an offence so listed;

(k) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence so listed.

(5) The Department may by order amend sub-paragraph (4).

SLAVERY AND TRAFFICKING PREVENTION ORDERS ON APPLICATION

2.—(1) A court of summary jurisdiction may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") on an application by the Chief Constable.

(2) The court may make the order only if it is satisfied that—

(a) the defendant is a relevant offender (see paragraph 3), and

(b) since the defendant first became a relevant offender, the defendant has acted in a way which means that the condition in sub-paragraph (3) is met.

(3) The condition is that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(4) The Chief Constable may make an application under this paragraph only in respect of a person—

(a) who lives in Northern Ireland, or

(b) who the Chief Constable believes is in, or is intending to come to, Northern Ireland.

(5) An application under this paragraph is to be made by complaint.

(6) The acts of the defendant which may be relied on for the purposes of sub-paragraph (2)(b) include

acts taking place before this Schedule comes into operation.

(7) The Department may by order provide that an application under this paragraph may be made by a person or body specified in the order (as well as by the Chief Constable); and such an order may make such consequential amendments to this Schedule as the Department thinks necessary or expedient.

MEANING OF "RELEVANT OFFENDER"

3.—(1) A person is a "relevant offender" for the purposes of paragraph 2 if sub- paragraph (2) or (3) applies to the person.

(2) This sub-paragraph applies to a person if—

(a) the person has been convicted of a slavery or human trafficking offence,

(b) a court has made a finding that the person is not guilty of a slavery or human trafficking offence by reason of insanity,

(c) a court has made a finding that the person is unfit to be tried and has done the act charged against the person in respect of a slavery or human trafficking offence, or

(d) the person has been cautioned in respect of a slavery or human trafficking offence.

(3) This sub-paragraph applies to a person if, under the law of a country outside the United Kingdom—

(a) the person has been convicted of an equivalent offence (whether or not the person has been punished for it),

(b) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is not guilty by reason of insanity,

(c) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is unfit to be tried and has done the act charged against the person, or

(d) the person has been cautioned in respect of an equivalent offence.

(4) An "equivalent offence" means an act which—

(a) constituted an offence under the law of the country concerned, and

(b) would have constituted a slavery or human trafficking offence under the law of Northern Ireland if it had been done in Northern Ireland, or by a UK national, or as regards the United Kingdom.

(5) For the purposes of sub-paragraph (4) an act punishable under the law of a country outside the United Kingdom constitutes an offence under that law, however it is described in that law.

(6) On an application under paragraph 2 where sub-paragraph (3) is alleged to apply to the defendant, the condition in sub-paragraph (4)(b) is to be taken as met unless—

(a) not later than provided by magistrates' court rules, the defendant serves on the Chief Constable a notice which states that in the defendant's opinion the condition is not met, shows the grounds for that opinion, and requires the Chief Constable to prove that the condition is met, or

(b) the court permits the defendant to require the Chief Constable to prove that the condition is met without service of such a notice.

(7) References in this paragraph to convictions, findings and cautions include those taking place before this paragraph comes into operation.

EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

4.—(1) A slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(2) The only prohibitions or requirements that may be included in the order are those which the court is satisfied are necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.

(3) Subject to paragraph 5(1), a prohibition or requirement contained in a slavery and trafficking prevention order has effect—

(a) for a fixed period, specified in the order, of at least 5 years, or

(b) until further order.

(4) A slavery and trafficking prevention order—

(a) may specify that some of its prohibitions or requirements have effect until further order and some for a fixed period;

(b) may specify different periods for different prohibitions or requirements.

(5) If a court makes a slavery and trafficking prevention order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.

PROHIBITIONS ON FOREIGN TRAVEL

5.—(1) A prohibition on foreign travel contained in a slavery and trafficking prevention order must be for a fixed period of not more than 5 years.

(2) A "prohibition on foreign travel" means—

(a) a prohibition on travelling to any country outside the United Kingdom named or described in the order,

(b) a prohibition on travelling to any country outside the United Kingdom other than a country named or described in the order, or

(c) a prohibition on travelling to any country outside the United Kingdom.

(3) Sub-paragraph (1) does not prevent a prohibition on foreign travel from being extended for a further period (of no more than 5 years each time) under paragraph 6.

(4) A slavery and trafficking prevention order that contains a prohibition within sub-paragraph (2)(c) must require the defendant to surrender all of the defendant's passports at a police station specified in the order—

(a) on or before the date when the prohibition takes effect, or

(b) within a period specified in the order.

(5) Any passports surrendered must be returned as soon as reasonably practicable after the person ceases to be subject to a slavery and trafficking prevention order containing a prohibition within sub-paragraph (2)(c).

(6) Sub-paragraph (5) does not apply in relation to—

(a) a passport issued by or on behalf of the authorities of a country outside the United Kingdom if the passport has been returned to those authorities;

(b) a passport issued by or on behalf of an international organisation if the passport has been returned to that organisation.

VARIATION, RENEWAL AND DISCHARGE

6.—(1) A person within sub-paragraph (2) may apply to the appropriate court for an order varying, renewing or discharging a slavery and trafficking prevention order.

(2) The persons are—

(a) the defendant;

(b) the Chief Constable.

(3) On the application the court, after hearing—

(a) the person making the application, and

(b) the other person mentioned in sub-paragraph (2) (if that person wishes to be heard),

may make any order varying, renewing or discharging the slavery and trafficking prevention order that the court considers appropriate.

(4) An order may be renewed, or varied so as to impose additional prohibitions or requirements on the defendant, only if the court is satisfied that—

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5) Any renewed or varied order may contain only those prohibitions or requirements which the court is satisfied are necessary for that purpose.

(6) The court must not discharge an order before the end of 5 years beginning with the day on which the order was made, without the consent of the defendant and the Chief Constable.

(7) Sub-paragraph (6) does not apply to an order containing a prohibition on foreign travel and no other prohibitions.

(8) In this paragraph "the appropriate court" means—

(a) where the Crown Court or the Court of Appeal made the slavery and trafficking prevention order, the Crown Court;

(b) in any other case, a court of summary jurisdiction.

(9) An application under sub-paragraph (1) may be made—

(a) where the appropriate court is the Crown Court, in accordance with Crown Court rules;

(b) in any other case, by complaint.

INTERIM SLAVERY AND TRAFFICKING PREVENTION ORDERS

7.—(1) This paragraph applies where an application under paragraph 2 ("the main application") has not been determined.

(2) An application for an "interim slavery and trafficking prevention order—

(a) may be made by the complaint by which the main application is made, or

(b) if the main application has been made, may be made by the person who has made that application, by complaint to the court to which that application has been made.

(3) The court may, if it considers it just to do so, make an interim slavery and trafficking prevention order.

(4) An interim slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(5) The order—

(a) has effect only for a fixed period, specified in the order;

(b) ceases to have effect, if it has not already done so, on the determination of the main application.

(6) The applicant or the defendant may by complaint apply to the court that made the interim slavery and trafficking prevention order for the order to be varied, renewed or discharged.

APPEALS

8.—(1) A defendant may appeal against the making of a slavery and trafficking prevention order—

(a) where the order was made under paragraph 1(1)(a), as if the order were a sentence passed on the defendant for the offence;

(b) where the order was made under paragraph 1(1)(b) or (c), as if the defendant had been convicted of the offence and the order were a sentence passed on the defendant for that offence;

(c) where the order was made on an application under paragraph 2, to the county court.

(2) A defendant may appeal to the county court against the making of an interim slavery and trafficking prevention order.

(3) A defendant may appeal against the making of an order under paragraph 6, or the refusal to make such an order—

(a) where the application for such an order was made to the Crown Court, to the Court of Appeal;

(b) in any other case, to the county court.

(4) On an appeal under sub-paragraph (1)(c), (2) or (3)(b), the county court may make such orders as may be necessary to give effect to its determination of the appeal, and may also make such incidental or consequential orders as appear to it to be just.

(5) Any order made by the county court on an appeal under sub-paragraph (1)(c) or (2) is for the purposes of paragraph 6(8) or 7(6) (respectively) to be treated as if

it were an order of the court from which the appeal was brought.

(6) Sub-paragraph (5) does not apply to an order directing that an application be reheard by a court of summary jurisdiction.

PART 2

NOTIFICATION REQUIREMENTS

OFFENDER SUBJECT TO NOTIFICATION REQUIREMENTS

9.—(1) References in the following provisions of this Schedule to an offender subject to notification requirements are references to an offender who is for the time being subject to a slavery and trafficking prevention order or an interim slavery and trafficking prevention order which is in effect under this Schedule.

(2) Sub-paragraph (1) has effect subject to paragraph 12(7) (which excludes from paragraph 12 an offender subject to an interim slavery and trafficking prevention order).

INITIAL NOTIFICATION

10.—(1) An offender subject to notification requirements must notify the required information to the police within the period of 3 days beginning with the date on which the slavery and trafficking prevention order or the interim slavery and trafficking prevention order comes into force in relation to the offender ("the relevant date").

(2) The "required information" is the following information about the offender—

(a) date of birth;

(b) national insurance number;

(c) name on the relevant date or, if the offender used two or more names on that date, each of those names;

(d) home address on the relevant date;

(e) name on the date on which the notification is given or, if the offender used two or more names on that date, each of those names;

(f) home address on the date on which the notification is given;

(g) the address of any other premises in the United Kingdom at which on that date the offender regularly resides or stays;

(h) any information prescribed by regulations made by the Department.

(3) When determining the period of 3 days mentioned in sub-paragraph (1), there is to be disregarded any time when the offender is—

(a) remanded in or committed to custody by an order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(4) In this Part "home address" means in relation to the offender—

(a) the address of the offender's sole or main residence in the United Kingdom, or

(b) if the offender has no such residence, the address or location of a place in the United Kingdom where the offender can regularly be found or, if there is more than one such place, such one of them as the offender selects.

NOTIFICATION OF CHANGES

11.—(1) An offender subject to notification requirements must, within the period of 3 days beginning with the date on which any notifiable event occurs, notify to the police—

(a) the required new information, and

(b) the information mentioned in paragraph 10(2).

(2) A "notifiable event" means—

(a) the use by the offender of a name which has not been notified to the police under paragraph 10 or this paragraph;

(b) any change of the offender's home address;

(c) the expiry of any qualifying period during which the offender has resided or stayed at any premises in the United Kingdom the address of which has not been notified to the police under paragraph 10 or this paragraph;

(d) any prescribed change of circumstances; or

(e) the release of the offender from custody pursuant to an order of a court or from a custodial sentence or detention in a hospital.

(3) The "required new information" is—

(a) the name referred to in sub-paragraph (2)(a),

(b) the new home address (see sub-paragraph (2)(b)),

(c) the address of the premises referred to in sub-paragraph (2)(c),

(d) the prescribed details, or

(e) the fact that the offender has been released as mentioned in sub-paragraph (2)(e),

as the case may be.

(4) A notification under sub-paragraph (1) may be given before the notifiable event occurs, but in that case the offender must also specify the date when the event is expected to occur.

(5) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates occurs more than 2 days before the date specified, the notification does not affect the duty imposed by sub-paragraph (1).

(6) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates has not occurred by the end of the period of 3 days beginning with the date specified—

(a) the notification does not affect the duty imposed by sub-paragraph (1), and

(b) the offender must, within the period of 6 days beginning with the date specified, notify to the police the fact that the event did not occur within the period of 3 days beginning with the date specified.

(7) Paragraph 10(3) applies to the determination of—

(a) any period of 3 days for the purposes of sub-paragraph (1), or

(b) any period of 6 days for the purposes of sub-paragraph (6),

as it applies to the determination of the period of 3 days mentioned in paragraph 10(1).

(8) In this paragraph—

(a) "prescribed change of circumstances" means any change—

(i) occurring in relation to any matter in respect of which information is required to be notified by virtue of paragraph 10(2)(h), and

(ii) of a description prescribed by regulations made by the Department;

(b) "the prescribed details", in relation to a prescribed change of circumstances, means such details of the change as may be so prescribed.

(9) In this paragraph "qualifying period" means—

(a) a period of 7 days, or

(b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

PERIODIC NOTIFICATION

12.—(1) An offender subject to notification requirements must, within the applicable period after each notification date, notify to the police the information mentioned in paragraph 10(2), unless the offender has already given a notification under paragraph 11(1) within that period.

(2) A "notification date" means, in relation to the offender, the date of any notification given by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1).

(3) Where the applicable period would (apart from this paragraph) end while sub-paragraph (4) applies, that period is to be treated as continuing until the end of the period of 3 days beginning with the date on which sub-paragraph (4) first ceases to apply.

(4) This sub-paragraph applies if the offender is—

(a) remanded in or committed to custody by an order of a court,

(b) serving a custodial sentence,

(c) detained in a hospital, or

(d) outside the United Kingdom.

(5) In this paragraph "the applicable period" means—

(a) in any case where sub-paragraph (6) applies, such period as may be prescribed by regulations made by the Department, and

(b) in any other case, the period of one year.

(6) This sub-paragraph applies if the last home address notified by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1) was the address or location of such a place as is mentioned in paragraph 10(4)(b).

(7) Nothing in this paragraph applies to an offender who is subject to an interim slavery and trafficking prevention order.

ABSENCE FROM NOTIFIED RESIDENCE

13.—(1) This paragraph applies to an offender subject to notification requirements at any time if the last home address notified by the offender under paragraph 10(1), 11(1) or 12(1) was an address in Northern Ireland such as is mentioned in paragraph 10(4)(a) (sole or main residence).

(2) If the offender intends to be absent from that home address for a period of more than 3 days ("the relevant period"), the offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in sub-paragraph (3).

(3) The information is—

(a) the date on which the offender will leave that home address;

(b) such details as the offender holds about—

(i) the offender's travel arrangements during the relevant period;

(ii) the offender's accommodation arrangements during that period;

(iii) the offender's date of return to that address.

(4) In this paragraph—

"travel arrangements" include, in particular, the means of transport to be used and the dates of travel,

"accommodation arrangements" include, in particular, the address of any accommodation at which the relevant offender will spend the night during the relevant period and the nature of that accommodation.

(5) Where—

(a) an offender has given a notification under sub-paragraph (2), and

(b) at any time before that mentioned in that sub-paragraph, the information notified becomes inaccurate or incomplete,

the offender must give a further notification under sub-paragraph (2).

(6) Where an offender—

(a) has notified a date of return to the offender's home address, but

(b) returns to that home address on a date other than that notified,

the offender must notify the date of the offender's actual return to the police within 3 days of the actual return.

(7) Nothing in this paragraph requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under paragraph 14.

(8) In calculating the relevant period for the purposes of this paragraph there is to be disregarded—

(a) any period or periods which the offender intends to spend at, or travelling directly to or from, an address of the kind mentioned in paragraph 10(2)(g) notified to the police under paragraph 10(1), 11(1) or 12(1);

(b) any period or periods which the offender intends to spend at, or travelling directly to or from, any premises, if his stay at those premises would give rise to a requirement to notify the address of those premises under paragraph 11(2)(c).

TRAVEL OUTSIDE THE UNITED KINGDOM

14.—(1) The Department may by regulations make provision with respect to offenders subject to notification requirements, or any description of such offenders—

(a) requiring such persons, before they leave the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (2);

(b) requiring such persons, if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (3).

(2) A notification under this paragraph must disclose—

(a) the date on which the offender proposes to leave the United Kingdom;

(b) the country (or, if there is more than one, the first country) to which the offender proposes to travel and the proposed point of arrival (determined in accordance with the regulations) in that country;

(c) any other information prescribed by the regulations which the offender holds about the offender's departure from or return to the United Kingdom, or about the offender's movements while outside the United Kingdom.

(3) A notification under this sub-paragraph must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

METHOD OF NOTIFICATION AND RELATED MATTERS

15.—(1) An offender gives a notification to the police under paragraph 10(1), 11(1), 12(1) or 13(2) or (6) by—

(a) attending at any police station in Northern Ireland prescribed by regulations under section 87(1)(a) of the Sexual Offences Act 2003, and

(b) giving an oral notification to any police officer, or to any person authorised for the purpose by the officer in charge of the station.

(2) Any notification given in accordance with this paragraph must be acknowledged; and the acknowledgement must be—

(a) in writing, and

(b) in such form as the Department may direct.

(3) Where a notification is given under paragraph 10(1), 11(1), 12(1) or 13(2) or (6), the offender must, if requested to do so by the police officer or other person mentioned in paragraph (1)(b), allow that officer or person to—

(a) take the offender's fingerprints,

(b) photograph any part of the offender, or

(c) do both of those things,

in order to verify the offender's identity.

(4) Fingerprints taken from a person under this paragraph (and any copies of those fingerprints) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(5) Photographs taken of any part of the offender under this paragraph (and any copies of such photographs) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(6) In this paragraph "photograph" includes any process by means of which an image may be produced.

PART 3

SUPPLEMENTARY

OFFENCES

16.—(1) A person who, without reasonable excuse, fails to comply with any prohibition or requirement contained in—

(a) a slavery and trafficking prevention order, or

(b) an interim slavery and trafficking prevention order,

commits an offence.

(2) A person who, without reasonable excuse, fails to comply with—

(a) paragraph 10(1), 11(1) or (6)(b), 12(1), 13(2) or (6) or 15(3), or

(b) any requirement imposed by regulations made under paragraph 14(1),

commits an offence.

(3) A person who notifies to the police, in purported compliance with—

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

any information which the person knows to be false, commits an offence.

(4) As regards an offence under sub-paragraph (2), so far as it relates to non-compliance with—

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

a person commits such an offence on the first day on which the person first fails, without reasonable excuse, to comply with the provision mentioned in paragraph (a) or (as the case may be) the requirement mentioned in paragraph (b), and continues to commit it throughout any period during which the failure continues.

(5) But a person must not be prosecuted under sub-paragraph (2) more than once in respect of the same failure.

(6) A person guilty of an offence under this paragraph is liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding 5 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(7) Where a person is convicted of an offence under this paragraph, it is not open to the court by or before which the person is convicted to make an order for conditional discharge in respect of the offence.

CROSS-BORDER ENFORCEMENT WITHIN UK

17.—(1) The Department may by order amend paragraph 16(1) so as to add to or remove from the list of orders in that paragraph any relevant UK order.

(2) "Relevant UK order" means an order under the law of Scotland or England and Wales which appears to the Department to be equivalent or similar to—

(a) a slavery and trafficking prevention order,

(b) an interim slavery and trafficking prevention order.

SUPPLY OF INFORMATION TO RELEVANT NORTHERN IRELAND DEPARTMENTS, SECRETARY OF STATE, THE COMMISSIONERS, ETC.

18.—(1) This paragraph applies to information notified to the police under paragraph 10(1), 11(1) or 12(1).

(2) The Chief Constable may, for the purposes of the prevention, detection, investigation or prosecution of offences under this Schedule, supply information to which this paragraph applies to—

(a) a relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners,

(d) a person providing services to a relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with a relevant function,

for use for the purpose of verifying the information.

(3) In relation to information supplied to any person under sub-paragraph (2), the reference to verifying the information is a reference to—

(a) checking its accuracy by comparing it with information held—

(i) in the case of a relevant Northern Ireland department, the Secretary of State or the Commissioners by that department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(ii) in the case of a person within sub-paragraph (2)(d), by that person in connection with the provision of services as mentioned there, and

(b) compiling a report of that comparison.

(4) Subject to sub-paragraph (5), the supply of information under this paragraph is to be taken not to breach any restriction on the disclosure of information (however arising).

(5) This paragraph does not authorise the doing of anything that contravenes the Data Protection Act 1998.

(6) This paragraph does not affect any power to supply information that exists apart from this paragraph.

(7) In this paragraph—

"the Commissioners" means Her Majesty's Commissioners for Revenue and Customs;

"relevant Northern Ireland department" means the Department for Employment and Learning, the Department of the Environment, the Department of Health, Social Services and Public Safety or the Department for Social Development;

"relevant function" means—

(a) in relation to the Department for Employment and Learning, a function relating to employment or training,

(b) in relation to the Department of the Environment, a function under Part 2 of the Road Traffic (Northern Ireland) Order 1981;

(c) in relation to the Department of Health, Social Services and Public Safety, a function relating to health or social care;

(d) in relation to the Department for Social Development, a function relating to social security or child support;

(e) in relation to the Secretary of State, a function relating to passports or the Gangmasters Licensing Authority;

(f) in relation to the Commissioners, any of their functions.

SUPPLY OF INFORMATION BY RELEVANT NORTHERN IRELAND DEPARTMENTS, SECRETARY OF STATE, THE COMMISSIONERS, ETC.

19.—(1) A report compiled under paragraph 18 may be supplied to the Chief Constable by—

(a) the relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners, or

(d) a person within paragraph 18(2)(d).

(2) Such a report may contain any information held—

(a) by the relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(b) by a person within paragraph 18(2)(d) in connection with the provision of services as mentioned there.

(3) Where such a report contains information within sub-paragraph (2), the Chief Constable—

(a) may retain the information, whether or not used for the purposes of the prevention, detection, investigation or prosecution of offences under this Part, and

(b) may use the information for any purpose related to the prevention, detection, investigation or prosecution of offences (whether or not under this Part), but for no other purpose.

(4) Sub-paragraphs (4) to (7) of paragraph 18 apply in relation to this paragraph as they apply in relation to paragraph 18.

INFORMATION ABOUT RELEASE OR TRANSFER OF OFFENDER

20.—(1) This paragraph applies to an offender subject to notification requirements who is—

(a) serving a custodial sentence; or

(b) detained in a hospital.

(2) The Department may by regulations make provision requiring the person who is responsible for such an offender to give notice to specified persons—

(a) of the fact that that person has become responsible for the offender; and

(b) of any occasion when—

(i) the offender is released, or

(ii) a different person is to become responsible for the offender.

(3) In sub-paragraph (2) "specified persons" means persons specified, or of a description specified, in the regulations.

(4) The regulations may make provision for determining who is to be taken for the purposes of this paragraph as being responsible for an offender.

POWER OF ENTRY AND SEARCH OF OFFENDER'S HOME ADDRESS

21.—(1) If, on an application made by a police officer of the rank of superintendent or above, a lay magistrate is satisfied that the requirements in sub-paragraph (2) are met in relation to any premises, the lay magistrate may issue a warrant authorising a constable—

(a) to enter the premises for the purpose of assessing the risks posed by the offender subject to notification requirements to whom the warrant relates; and

(b) to search the premises for that purpose.

(2) The requirements are—

(a) that the address of each set of premises specified in the application is an address falling within sub-paragraph (3);

(b) that the offender is not one to whom sub-paragraph (4) applies;

(c) that it is necessary for a constable to enter and search the premises for the purpose mentioned in sub-paragraph (1)(a); and

(d) that on at least two occasions a constable has sought entry to the premises in order to search them for that purpose and has been unable to obtain entry for that purpose.

(3) An address falls within this sub-paragraph if—

(a) it is the address which was last notified in accordance with this Schedule by the offender to the police as the offender's home address; or

(b) there are reasonable grounds to believe that the offender resides there or may regularly be found there.

(4) This sub-paragraph applies to an offender if the offender is—

(a) remanded in or committed to custody by order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(5) A warrant issued under this paragraph must specify the one or more sets of premises to which it relates.

(6) The warrant may authorise the constable executing it to use reasonable force if necessary to enter and search the premises.

(7) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the lay magistrate is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose mentioned in sub-paragraph (1)(a).

(8) Where a warrant issued under this paragraph authorises multiple entries, the number of entries authorised may be unlimited or limited to a maximum.

(9) In this paragraph a reference to the offender subject to notification requirements to whom the warrant relates is a reference to the offender—

(a) who has in accordance with this Schedule notified the police that the premises specified in the warrant are the offender's home address; or

(b) in respect of whom there are reasonable grounds to believe that the offender resides there or may regularly be found there.

GUIDANCE

22.—(1) The Department must issue guidance to the Chief Constable in relation to the exercise of the powers of the Chief Constable under this Schedule.

(2) The Department may, from time to time, revise the guidance issued under sub-paragraph (1).

(3) The Department must arrange for any guidance issued or revised under this paragraph to be published in a way the Department considers appropriate.

INTERPRETATION OF THIS SCHEDULE

23.—(1) In this Schedule—

"cautioned" means cautioned after the person concerned has admitted the offence;

"custodial sentence" means—

(a) a sentence of imprisonment,

(b) a sentence of detention in a young offenders centre;

(c) a sentence of detention under Article 13(4)(b) or 14(5) of the Criminal Justice (Northern Ireland) Order 2008;

(d) a sentence of detention under Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998;

(e) an order under Article 39A of that Order sending the offender to a juvenile justice centre;

(f) any other sentence under which a person is detained in custody;

"detained in a hospital" means detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986;

"home address" has the meaning given by paragraph 10(4);

"interim slavery and trafficking prevention order" means an order under paragraph 7;

"slavery and trafficking prevention order" means an order under paragraph 1 or 2;

"slavery or human trafficking offence" has the meaning given by paragraph 1(4).

(2) In this Schedule "passport" means—

(a) United Kingdom passport within the meaning of the Immigration Act 1971;

(b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;

(c) a document that can be used (in some or all circumstances) instead of a passport.

(3) In this Schedule a reference to a conviction includes a conviction for an offence in respect of which an order for conditional discharge is made, despite—

(a) Article 6(1) of the Criminal Justice (Northern Ireland) Order 1996 (conviction with conditional discharge deemed not to be a conviction), or

(b) section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (equivalent provision for England and Wales).

(4) Sub-paragraph (3) applies only to convictions after this Schedule comes into operation.

(5) In this Schedule a reference to a conviction includes a finding of a court in summary proceedings that the accused did the act charged, where the court makes an order under—

(a) Article 44(4) of the Mental Health (Northern Ireland) Order 1986;

(b) section 37(3) of the Mental Health Act 1983, or

(c) section 58(3) of the Criminal Procedure (Scotland) Act 1995,

(hospital and guardianship orders).

(6) In relation to an offence under the law of Scotland, a reference in this Schedule to a person being found not guilty by reason of insanity is to be treated as a reference to a person being acquitted by reason of the special defence in section 51A of the Criminal Procedure (Scotland) Act 1995.

(7) References in this Schedule to an offender subject to notification requirements are to be read in accordance with paragraph 9.

(8) In this Schedule, a reference to a finding that a person is unfit to be tried and has done the act charged against the person in respect of an offence includes a finding that a person is under a disability or insane and has done the act charged against the person in respect of an offence.

(9) A person's age is to be treated for the purposes of this Schedule as being that which it appears to the court to be after considering any available evidence.".— [Mr Ford (The Minister of Justice).]

Schedule 3 agreed to.

New Schedule

Amendment No 63 made:

After clause 19 insert

"SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS RELATING TO OFFENCES UNDER SECTION 1A OR 1B

THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968 (C. 34)

1. In Schedule 1 (offences against children and young persons to which special provisions of the Act apply) at the end add—

"An offence against a child or young person under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or any attempt to commit such an offence.".

THE IMMIGRATION ACT 1971 (C. 77)

2. In section 25C (forfeiture of vehicle, ship or aircraft) in subsections (9)(b), (10)(b) and (11) for the words from "a passenger" to the end substitute "the victim of conduct which constitutes an offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland 2014".

THE POLICE AND CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1989 (NI 12)

3. In Article 53A(2) (questioning and treatment of persons by police: meaning of "qualifying offence") at the end add—

"(t) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

THE SEXUAL OFFENCES (AMENDMENT) ACT 1992 (C. 34)

4. In section 2(3) (offences under law of Northern Ireland to which the Act applies)—

(a) after paragraph (hb) insert—

"(hc) any offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014;";

(b) in paragraph (i) for "(hb)" substitute "(hc)".

THE SEXUAL OFFENCES ACT 2003 (C. 42)

5. In Schedule 5 (relevant offences for purposes of notification and orders) after paragraph 171B insert—

"171C An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) ACT 2004 (C. 19)

6. In section 14(2) (immigration officers' power of arrest) after paragraph (q) insert—

"(r) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE SERIOUS CRIME ACT 2007 (C. 27)

7. In paragraph 18 of Part 2 of Schedule 1 (serious offences in Northern Ireland) at the end add—

"(4) An offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

PART 2

AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1994 (NI 15)

8. In Article 16(a) (review of compensation orders) for the words from "a confiscation order" to the end

substitute "either or both of the following made against him in the same proceedings—

(i) a confiscation order under Part 4 of the Proceeds of Crime Act 2002;

(ii) a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014; or".

THE SOCIAL SECURITY (RECOVERY OF BENEFITS) (NORTHERN IRELAND) ORDER 1997 (NI 12)

9. In paragraph 2 of Schedule 1 (exempted payments) for "1994 or" substitute "1994, Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or".

THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1996 (NI 24)

10. In Article 4(5) (absolute and conditional discharge) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

11. In Article 13(11) (community service order) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

THE PROCEEDS OF CRIME ACT 2002 (C. 29)

12.—(1) Section 163 (effect of confiscation order on court's other powers) is amended as follows.

(2) In subsection (3)(a) at the end add "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders)".

(3) In subsection (5)—

(a) in paragraph (a) for "both a confiscation order and" substitute "a confiscation order and one or both of" and after "1994 (SI 1994/2795 (N.I. 15)" insert "and a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014,";

(b) in paragraph (b) for "both the orders" substitute "all the orders".

(4) In subsection (6) (priorities of confiscation orders and other orders) for the words from "of the compensation" to "as it specifies" substitute "as it specifies of the amount (or amounts) payable under the other order (or orders) mentioned in subsection (5)(a)".

13. In section 182(7)(b) (court's powers on appeal) at the end insert "so far as they relate to such orders".

14. In section 183(9)(b) (appeal to Supreme Court) at the end insert "so far as they relate to such orders".

15. In section 205(5) (application of sums received under confiscation order to pay compensation) for the words "of compensation" substitute "payable under any other order (or orders)".

16. In section 308 (general exceptions to concept of recoverable property) after subsection (4) insert—

"(4A) If—

(a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014, and

(b) apart from this subsection, the sum received would be recoverable property,

the property ceases to be recoverable.".

THE RECOVERY OF HEALTH SERVICE CHARGES (NORTHERN IRELAND) ORDER 2006 (NI 13)

17. In paragraph 1 of Schedule 1 (recovery of health care charges: exemptions)—

(a) omit "or" at the end of sub-paragraph (b);

(b) after sub-paragraph (c) insert—

"(d) Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders).".

THE JUSTICE (NORTHERN IRELAND) ACT 2012 (C. 24)

18. In section 1(5) (offender levy) after "1994 (NI 15)" insert "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or both" and for "appropriate compensation" substitute "and appropriate amounts under such of those orders as it would be appropriate to make".".— [Mr Ford (The Minister of Justice).]

Schedule 4 agreed to.

New Schedule

Amendment No 64 made: After clause 19 insert

"SCHEDULE 5

REPEALS

Short Title	*Extent of Repeal*
The Children and Young Persons Act (Northern Ireland) 1968 (c. 38)	*In Schedule 1 the entry relating to an offence under any of sections 57 to 59 of the Sexual Offences Act 2003.*
The Sexual Offences (Amendment) Act 1992 (c.34)	*In section 2(3)(ha) the words "57 to 59".*
The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)	*Article 3(1)(ga).*
The Proceeds of Crime Act 2002 (c. 29)	*In Schedule 5, paragraph 4(2) and (3).*

The Sexual Offences Act 2003 (c. 42)	*Sections 57 to 60C.* *In section 142(2) the words "57 to 60C".* *In Schedule 5, paragraph 171.* *In Schedule 6, paragraphs 42(2) and (3)(a) and 46(4).*
The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)	*Section 4.* *Section 5(3) to (5), (9) and (10).* *Section 14(2)(n) and (p).*
The Violent Crime Reduction Act 2006 (c.38)	*Section 54.* *Schedule 4.*
The Serious Crime Act 2007 (c.27)	*In Schedule 1, paragraph 18(2) and (3).*
The UK Borders Act 2007 (c. 30)	*Section 31.*
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	*In Schedule 1 in paragraph 28 the entries for sections 57 to 59.* *In Part 2 of Schedule 2 in paragraph 13 the entries for sections 57 to 59.*
The Sexual Offences (Northern Ireland) Order 2008 (NI 2)	*In Article 66(2), sub-paragraph (b) and the word "or" immediately before it.* *In Schedule 1, paragraph 12(4)(h).*
The Borders, Citizenship and Immigration Act 2009 (c.11)	*Section 54.*
The Coroners and Justice Act 2009 (c. 25)	*Section 71.*
The Criminal Justice Act (Northern Ireland) 2013 (c. 7)	*Sections 6 to 8.*

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

Schedule 5 agreed to.

Long title agreed to.

Mr Principal Deputy Speaker: That concludes the Consideration Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill. The Bill stands referred to the Speaker.

Adjourned at 1.54 am.

Northern Ireland Assembly

Tuesday 21 October 2014

The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Dallat] in the Chair).

Members observed two minutes' silence.

Executive Committee Business

Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014

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

> *That the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014 be approved.*

The order is being made under article 33 of the Local Government (Northern Ireland) Order 2005. Article 33(5) of that order provides that a draft order must be laid down before, and approved by a resolution of, the Assembly. The Local Government (Indemnities for Members and Officers) Order (Northern Ireland) 2012 came into operation on 27 November 2012. That order provided councils with an explicit power to indemnify their members and officers in respect of personal liabilities incurred in connection with service on behalf of their councils, subject to certain restrictions. The 2012 order also enabled councils to cover the cost of any legal representation that may have been considered necessary. Councils could cover the cost themselves by way of an indemnity or insurance.

With the introduction of the mandatory code of conduct earlier this year and the mechanisms for dealing with alleged breaches of the code, the 2012 order as currently drafted would permit councils to provide an indemnity in relation to procedures in connection with the ethical standards framework, but it would not compel them to recover costs incurred should a member be found to be in breach of the code and should that decision be upheld following appeal.

The 2012 order provides, among other things, for councils to include terms in any indemnity, including any insurance secured for the repayment of sums expended by the council or insurer in any cases in which a member or officer has been convicted of a criminal offence, if the indemnity or insurance policy would otherwise cover the proceedings leading to that finding or conviction. The draft order will extend that requirement to cases in which a councillor has been found to have failed to comply with, or admitted that they have failed to comply with, the Northern Ireland local government code of conduct for councillors.

It is right that councils should be able to provide assistance to their members to defend any allegations made in relation to breaches of the code. However, if those members have been found to have breached the code, it is also right that any council money that is used in such cases is repaid.

I ask the Assembly to approve the draft order.

Ms Lo (The Chairperson of the Committee for the Environment): The Committee first considered the proposed content of the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014 at its meeting on 19 May 2014, when the Department provided a synopsis of the responses it had received to its consultation.

The Committee noted that the Belfast City Council and Derry and Strabane statutory transition committees supported the Department's proposal to require councils to include terms in any indemnity or insurance that would require the repayment of costs where a person has subsequently been found, or has admitted to being, in breach of the local government code of conduct.

The Committee also noted the Northern Ireland Local Government Association's (NILGA) suggestion that an indemnity should only be withheld where a breach of the code would lead to disqualification, rather than only censure or suspension, or that there should be a cap on the limit of expenditure. However, the Committee was in agreement with the Department's response, which was not to include those suggestions in this subordinate legislation.

The Committee considered the SL1 proposal on 3 July 2014 and was content for the Department to proceed to make the statutory rule. At its meeting on 25 September 2014, the Committee agreed that the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014 should be affirmed by the Assembly.

Mrs Cameron: As Deputy Chair of the Environment Committee, I concur with the remarks of the Minister and the Committee Chair on the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014, and I will be very brief.

The order will enable any breach of the Northern Ireland local government code of conduct for councillors to be treated by way of legal provision in the same way as it already applies to a councillor who has been found guilty of a criminal offence. The motion simply allows for the extension of the restriction on legal cover to the code of conduct. I support the motion.

Mr Durkan: This order has been brought forward to protect public funds, and it puts the legislation regarding the provision of indemnities on a par with that available to councils in other jurisdictions.

I thank the Chair of the Committee and the Deputy Chair of the Committee for their support for the motion.

Question put and agreed to.

Resolved:

> *That the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014 be approved.*

Mr Deputy Speaker (Mr Dallat): We are running a little ahead of the indicative timings, so Members may take their ease for a moment.

Off-street Parking (Functions of District Councils) Bill: Second Stage

Mr Kennedy (The Minister for Regional Development): I beg to move:

> *That the Second Stage of the Off-street Parking (Functions of District Councils) Bill [NIA Bill 40/11-16] be agreed.*

It might be helpful to Members for me to give a little background to the Bill. In her speech on 31 March 2008 on the reform of public administration, the then Minister of the Environment, Minister Foster, identified 11 roads-related functions of my Department as being suitable for transfer to councils. Those functions were the subject of lengthy and detailed discussions between officials of the Department and local government representatives over a number of months. The outcome was that local government representatives declined to accept many of the functions that had been identified as being suitable for transfer.

An alternative list of five functions was subsequently submitted by local government for my predecessor's consideration. That list included the proposal that councils would become responsible for on- and off-street parking enforcement, and it was agreed to. Those functions were the subject of consultation between April and July 2010 in a Roads (Functions of District Councils) Bill. However, my predecessor subsequently withdrew the Bill from the legislative programme.

In April 2013, the Executive concluded that district councils should become responsible for the provision, ownership and management of off-street car parks, except park-and-ride and park-and-share car parks, which will remain the responsibility of my Department. Councils will also become responsible for the enforcement of parking contraventions in their off-street car parks.

The Off-street Parking (Functions of District Councils) Bill has a single clause that aims to achieve that vision of the Executive. The transfer of off-street car parks to the new councils will be put into effect through transfer schemes provided for by section 122 of the Local Government Act (Northern Ireland) 2014 and presently being prepared by my officials. Those stand outside the provisions of the Bill.

Members will have noted that the date for the Bill to come into effect as an Act of the Assembly is 1 April 2015. It is an RPA measure, and its timing is aimed to coincide with the revised funding of district councils from that date. It is also intended to ensure that councils will enjoy the revenue to be gained from the operation of those off-street car parks from that date.

Prior to consultation, my officials gave an oral briefing to the Committee for Regional Development on 4 June on the aims of the Bill. Following consultation, on 8 October, my officials gave a further briefing to the Committee, providing a brief résumé of the 17 responses received. Those were mostly from existing or shadow councils and largely sought clarification on points of detail relating to the outworkings of the proposed transfer rather than the content of the Bill. The respondents were generally content with the Bill's aims, and, in my view, nothing that was raised necessitated amendment to the Bill.

To help to ensure that the Bill will be in operation from 1 April 2015, I wrote to the Chairman of the Committee

seeking his cooperation in the Committee's completing its scrutiny of this single-clause Bill within the 30 working days provided for in Standing Order 33(2). I am grateful to the Chairman and members of the Committee for helpfully agreeing to commence their consultation on the Bill in advance of its introduction in order to meet the Bill passage timetable. While the Committee has reserved the right to apply for an extension under Standing Order 33(4), I hope that its scrutiny of the Bill's single clause would not require more than those 30 working days.

That is my overview and presentation of the Second Stage. I will, of course, be listening closely to the contributions from not only the Chair and other members of the Committee but, perhaps, Assembly Members. Hopefully, we can make progress on this Bill.

10.45 am

Mr Clarke (The Chairperson of the Committee for Regional Development): I welcome the opportunity to speak on off-street car parking. The Committee is generally supportive of the Bill. However, the caveat is that there are some Committee concerns about protecting the car parking spaces in villages when this is transferred to local government. We look forward to receiving the views of the Independent Retail Trade Association on the matter.

The Committee first received a briefing on the Bill on 4 June. It must be said that there were mixed feelings and some concerns, as the Committee did not feel that the Department was providing sufficient clarification at that stage on issues such as the service level agreement, the cost to the councils and the value of the assets being transferred. Committee members raised a number of concerns. The Department agreed to copy the Committee into the consultation responses that were received over the summer recess, and I thank officials for doing so. Those show that the current and shadow councils are supportive of the principle of the handover of the functions. However, they also show that there were a number of areas of concern that required additional clarification from the Department, clarification that I am not entirely sure has or will be provided by the time that the Bill is enacted.

As the Minister indicated, the consultation was completed on 8 August. On 17 August, the Committee received correspondence from the Minister setting out his intention to introduce the Bill and asking the Committee to complete its scrutiny in 30 days. Some members felt that there was a veiled threat in how that was framed because the correspondence did go on to suggest that they could possibly apply for accelerated passage. The Committee was generally supportive of trying to work to achieve that in the 30 days but did not want to be tied to it. The Committee wanted to make sure that the work was done properly so that it went across in a fit-for-purpose state. We assured officials on that occasion that we would do our best. However, the caveat was that whatever papers and clarification we needed from the Department would come in a timely manner. As the Minister indicated, the Committee took its responsibility seriously and, as he outlined, has started its work in opening it up for the consultation process, which shows the supportive nature of the Committee.

On 8 October, the Committee again took evidence from departmental officials. Again, the Committee raised concerns that too many items remained not clarified, such as whether the transfer of functions would be cost neutral; the value of the assets being transferred, which has reduced from £233 million in 2009 to £64 million at March 2013; and enforcement.

It is no exaggeration that the main concern of the Committee, aside from the lack of clarity and which has been relayed by individual members, is that there does not seem to be any protection of the assets. I share that concern with other members. The Committee did suggest that the Department consider an amendment. I note from the Minister's introduction today that it is not minded to put an amendment to the Bill. However, the Committee did suggest that, if the Department did do that, it would make it much easier for us to get that agreed at the outset so we could meet the 30-day deadline for the process as opposed to having to come forward with it at a later stage.

The Committee for Regional Development is not opposed to the principles of the Bill, but, as other Members will no doubt indicate, we have concerns about ensuring that the sale of car parks is not detrimental to local economic development if the spaces are not replaced elsewhere. The Committee will explore that more fully at Committee Stage. At this stage, I indicate general support, in principle, for the Bill.

Mr Byrne: My party, the SDLP, and I welcome and support the transfer of ownership and control of public car parks to the new super-councils in April 2015. The Department for Regional Development has estimated their value to be approximately £46 million and that they will generate revenue of around £8 million per annum. The Bill will see the ownership and maintenance of over 300 car parks, free and charging, being transferred to councils. That can be dealt with efficiently and sensibly at council level and is one important step in creating strong and accountable local government. For a long time, our councils have expressed their desire to exercise some control over parking, and the SDLP welcomes the fact that the Bill will give each of the new super-councils a say. Parking has proved contentious in a number of our town centres, and it is right that the new councils will have due input into the decisions that affect parking in their area going forward. Parking plays an important role in the retail economies of our local towns and cities and for the people who use those facilities day in and day out.

Whilst the SDLP wholly supports the principle of the Bill, it raises a number of matters that require more attention. First, restrictive conditions or otherwise could be imposed on councils by DRD on future use of the car parks. Nearly all the councils and NILGA have raised that issue, and they do not want restrictive conditions being applied by DRD. I think that there were 17 or 18 respondents to the consultation, which the Minister referred to earlier.

Car parking administration and management, the charging system and maintenance and service of pay-and-display machines — again, the sensible and practical solution for that in the short term is to have some transitional arrangements that are based on the DRD protocols and practices until councils finalise future arrangements in that regard.

The next issue is fixed penalty notices and the consequent collection and processing of the fines. DRD has an administrative system or unit in situ that does that work, and over 30 people are employed between offices in Omagh, Coleraine and Belfast.

The hiring of car parking attendants and wardens, or the "red coats", again, has been administered by DRD, and with the new system kicking in in April 2015, it will not be possible for councils to fully take on that responsibility at this stage. The proposed three- or five-year service level agreement to operate car parking, being administered by DRD with councils subsequently deciding on future arrangements, seems the most practical arrangement for the immediate future.

Some council areas have modern, multistorey car parks, and others have substandard facilities. The creation and maintenance of car parks cannot be funded on parking fees alone, so the councils, in future, will have to determine how they can carry out improvement and maintenance of those car parks. The councils have rightly requested condition surveys, which I understand are in the process of being prepared by DRD engineers. Those should be followed by action to ensure that they are all up to the standards that the new councils will expect. That should, of course, include a guarantee that every one of our off-street parking facilities is fully accessible and that they provide adequate mobility parking. If not, action should be undertaken to make sure that that is the case.

I would also welcome a clause in the Bill that specifies that councils will have the power to offer free off-street parking to blue badge holders. The Bill offers an opportunity to improve drastically what can prove a serious obstacle for people with disabilities and mobility problems. Moreover, the Bill will give councils the power to tailor parking charges to their specific situations, but we must avoid causing undue confusion and uncertainty for drivers who will cross the borders between different super-councils. It must not be the case that hard-pressed families are presented with fines because of the lack of a clear and comprehensive system in place. As far as possible, the new super-councils must be encouraged to fashion some consistency. It would be regrettable if a system emerged here similar to the one operating in England, where two towns in close proximity can operate vastly different parking charges.

The SDLP wishes good luck to the Minister and the Bill at this stage. Hopefully, future arrangements can be such that the councils will be satisfied.

Mr Deputy Speaker (Mr Dallat): I call Mr Ross Hussey.

Mr Hussey: Mr Deputy Speaker, can I have your permission to remain seated?

Mr Deputy Speaker (Mr Dallat): Absolutely.

Mr Hussey: Thank you very much. I begin by declaring, as a former councillor, that one of the issues that was continually debated in councils was car parking, and councillors continually made it very clear that one of the functions that they wanted devolved to them under the review of public administration was car parking. Whilst I was not entirely happy with the way the review of public administration eventually ended up, we are now in a situation where we are looking at the transfer of car parking to local councils, and I support the Bill as drafted.

Many will express reservations about how councils will act once the powers have been transferred, and there have been discussions about the ownership of the car parks and what councils may or may not do following the transfer of ownership. We have to realise that councils have their own authority and will decide for themselves what they can and cannot do with the assets once they have been transferred. However, I am sure that, should a car park be transferred and should a council decide to use that land for another activity, councillors will realise that they must replace it with another car park. All towns have had surveys about the number of car parking spaces they should have and maintain.

Reference has also been made to the condition of car parks, and some are better than others. I suppose that it would be fair to say that it is like buying a second-hand car. However, car parks will be transferred and will be under the control of councils.

I ask the Minister to consider providing an answer about the liability claims that have been made against DRD in relation to car parks and to provide the most recent figures available. If those cannot be made available today, he could provide them later.

Councils will make different decisions, and I accept the point made by Mr Byrne about charging structures. We see that anyway. For example, Belfast is a more expensive place for parking than Omagh, and, at certain times of the year, councils may wish to change the rates or perhaps have free days coming up to Christmas on Saturdays or whatever. That is a luxury they will have.

I also accept the point that Mr Byrne made about disabilities. I had not thought of it until he made that point. I declare an interest as somebody with a disability. Car parks should provide free car parking spaces for blue badge holders. I strongly believe in that and feel that it should be taken into account during the deliberations.

Overall and over the past years, car parking has been one of those issues over which councils have got quite angry about what can and cannot be done. They want this opportunity to take control of the car parks, and I the Bill is one way of getting that business transferred to them. I support the Bill and look forward to seeing it progress through the House.

Mr Lyttle: I will speak on behalf of the Alliance Party and add our general support to the Off-street Parking (Functions of District Councils) Bill and, indeed, the principle of transferring the functions for car parking to our councils. I welcome the helpful responses that the councils across the region provided to the Committee for Regional Development and the general endorsement of the proposals.

The consultation responses expressed hope that the transfer of responsibility for off-street car parking to councils will provide our local government representatives with the opportunity to manage our off-street car parks in a way that supports local economic development and good community planning policy. We wish them well in that endeavour.

Some concerns and issues about the transfer of functions have been raised by Members, and those were highlighted in the consultation responses. One particular point was that all car parks that come under the legislation should be transferred as part of the Bill without any undue delay. There was also an understanding that certain car parks in Belfast city centre were not originally to be included in the handover, but I believe that there may have been recent movement in that regard. Maybe we could get clarification of that. I know that NILGA, in its consultation response,

sought reassurance around the fact that lands required by councils to perform off-street parking functions would be confirmed as a matter of priority and transferred without restriction.

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

Perhaps the most pertinent issue that has been raised is about the transfer within the Bill being cost-neutral. Indeed, in a statement to the Assembly, the former Environment Minister, Alex Attwood, said:

> *"functions that are to transfer from central to local government should be fit for purpose, sufficiently funded and cost-neutral to the ratepayer at the point of transfer." — [Official Report, Bound Volume 84, p109, col 1].*

That is the standard for which we have to aim with the transfer of responsibility for off-street car parking from the Department for Regional Development to our local councillors. Indeed, the state of repair at point of transfer is another issue that has been raised.

11.00 am

Another issue raised by the NILGA consultation response is that the regulation-making powers will remain the responsibility of the Department, as I understand it. NILGA felt that councils should be provided with the opportunity to be consulted on and to influence any regulations that are being made, amended or revoked in future in relation to off-street car parking. I will be interested to hear the Minister's view on that.

Business bodies, in particular NIIRTA, raised the issue of the positive contribution of many of the parking approaches, for example the £1 for five hours parking tariff. I believe that that is available in around 93 car parks in around 23 towns across Northern Ireland and had been received extremely well by local people and traders. We want to ensure that those creative policies are retained going forward. Maybe the Minister can say something about that as well.

I look forward to working with my Committee colleagues to further examine the Bill at Committee Stage in the near future.

Mr Easton: The Bill, which has been introduced by the Minister for Regional Development, sets forth certain functions that are currently carried out by DRD/Transport NI in relation to off-street car parking. We will see some of these functions transferred to the new councils across Northern Ireland, as agreed by the Northern Ireland Executive. This Bill will see councils enter into service-level agreements with DRD, and these agreements will apply to car parks, equipment and associated car park signage. If councils wish to include enforcement as part of these responsibilities, it must be added to the schedule with the agreement of Transport NI.

Some duties will still be carried out by DRD and Transport NI. The service-level agreement takes effect from 1 April 2015 and remains in force until 31 October, when it can be renegotiated. Until then, DRD plus Transport NI and its agents will provide the service on behalf of the councils, and they will be responsible for engaging parking attendants and enforcing the Civil Provisions Act in relation to off-street car parking in the ownership of the councils. That will apply until this contract runs out and is either extended or goes out to open competition. Transport NI will control staff uniforms, the processing of penalty charge notices, the collection of payments for penalty charge notices and basic maintenance and cleaning of off-street car parks. It will maintain pay-and-display machines and cash collection points and manage and report service-level agreement key performance indicators. Also, it will provide an independent tariff penalty tribunal service, customer services, a clamping and removal service and permit parking schemes. It will control the processing of personal data and claims and the investigation of complaints.

The elements of the councils' responsibilities for managing and operating car parks include the setting of tariffs; reconciliation of off-street car parking income agreement enforcement days; relevant policies; service standards and procedures; enforcing the Criminal Offences Act; and maintaining, cleaning and lighting car parks.

On inspections, attendants who come across and note defects in the car parks will report them to Transport NI within 24 hours. Councils will have to be notified of the defects within one hour of this being reported. DRD and Transport NI will make good to the satisfaction of the councils any damages that may need repaired. On operational specifications, councils will agree a parking enforcement protocol plus a cancellation policy that will be implemented by DRD and Transport NI. Enforcement will be delegated to DRD and Transport NI.

On record management and data protection, DRD, Transport NI and the councils will assume joint data controls for the personal and sensitive personal data that they possess. They will ensure that each organisation will apply a level of interpretation to data that they process and have the responsibility to exercise professional judgement on that data. Each organisation will have significant decision-making tasks in relation to personal data processed. Each organisation will also apply its own technical expertise and professional judgement on how best to store the personal data in a safe and accessible way. That can be best achieved by shared data control among all three.

Charges will be paid to DRD and Transport NI by councils under the service-level agreement to do with cash collection duties, attendants deployed, processing charges and appeals and administration charges.

I move now to the mechanics. DRD and Transport NI will also produce a monthly financial report to councils and meet quarterly to review implementation performance and services provided. Other aspects of the Bill offer resolution of disputes and third-party rights.

I generally support the Bill, but I have some questions. Hopefully, the Minister will address those. When the car parks are handed over, will they be handed over in 100% working and good condition? If not, what moneys will be transferred to the car parks to ensure that they will be up to scratch for the councils when they take over? Will DRD and Transport NI ensure that any information, such as the history of ongoing claims, will be given to the council for their information? I have slight concerns relating to when the car parks are handed over to the councils. Will the councils have the power to sell them off straight away if

they want to do so? We need to look at putting something in place that will prevent them doing that. Maybe they should come back to DRD before they are allowed to do that.

I welcome the fact that the councils will be able to set the charges for off-street car parks. That could mean a big difference for struggling town centre businesses, which often find it hard to compete with out-of-town shopping centres and their free car parks. There are a few questions there, Minister, but, in general, I support the Bill.

Mr Lynch: Go raibh maith a Phríomh-LeasCheann Comhairle. We generally support the principles of the Bill. I echo the Chair's concerns and, indeed, those of other Members regarding some issues around the Bill. However, we look forward to receiving it in Committee Stage and taking evidence from stakeholders. I call on the Department to support the Committee in passing the Bill through Committee Stage. I believe that some of the concerns raised by Members can be resolved. I look forward to the Bill passing through Committee.

Mr Moutray: The transfer of car parking functions from Department for Regional Development control to local government has been one of the more vexed areas of the review of public administration. There are two main areas of concern surrounding that proposition. One relates to the way in which the Department is conducting itself presently, and the other surrounds concerns that people have about how the new councils may conduct themselves in the future.

I do not intend to dwell on the first area other than to say that the RPA envisaged that car parking — not some car parking or non-profitable car parking — would transfer to local government control. I urge the Department to be true to the spirit of the review of public administration and ensure that all car parking functions are transferred to local government control.

Research has shown that all successful business districts afford adequate parking or park-and-ride facilities to potential users, whether they are travelling into town or city centres to work or to visit shops and spend their money in the local economy. Successful town centres provide car parking. In almost all council areas in Northern Ireland, it is the income generated through successful town and city centre rates that pays for public services such as leisure centres, park management and refuse collection. Where car parking is not sufficient to meet the demand, people simply go elsewhere. It is beyond doubt, therefore, that an ample supply of car parking is an essential ingredient in the economic growth and wealth generation of councils throughout Northern Ireland.

Having been granted control of these facilities by central government, councils would be taking a foolish, short-term view if they took any steps towards disposing of such facilities or changing their usage. Local authorities that would adopt such an approach would be guilty of inflicting a grievous injury on their own economic sustainability and prosperity into the future. Whilst there have been many positive initiatives designed to encourage people to leave their car behind and engage in public transport and alternatives such as cycling — I welcome them — there must also be a recognition that providing car-parking spaces is vital for successful towns and boroughs. I believe that all our public representatives in local government recognise that, regardless of whatever steps we take in this area. In principle, we support the Bill.

Mr Kennedy (The Minister for Regional Development): I am grateful to all Members for their contributions and comments at the Second Stage of the Bill. Some general issues and several specific points have been raised, and I will attempt to deal with those. If anything is missed, I will review Hansard and come back in writing to Members.

I am heartened by the broad support for the measure. It has been a very long time coming, and there have been changes over the years. In respect of the latter point made by Mr Moutray, who was advocating that the full range of parking services be devolved ultimately to local government, in principle, I do not object to that. I simply think that we should review, after a suitable period, the success of this measure.

I will move on to contributions from Members. Mr Clarke, the Chairman of the Committee for Regional Development, was generally supportive, and he and the Committee will take important evidence from interested stakeholders, including NILGA. I had the opportunity to meet representatives of NILGA yesterday to examine some of the issues, and I found that helpful.

I am not a fan of accelerated passage generally. I think and hope that there is enough time to have the Bill properly scrutinised. It is the duty of all Committees of the House, particularly, in this case, the Regional Development Committee, to scrutinise the Bill and its impact. In conversation with the Chairman of the Committee, I can assure him that it was not any kind of veiled threat, simply a desire to meet the tight timetable that has been set for us not by the Department but as a consequence of RPA and the changes that are happening from April 2015. I am pleased that the Committee will work with the Department, and my officials will be available to offer insight.

I also welcome the contribution from Mr Byrne. He made an important point that there should be no restrictive conditions as the powers are transferred to the councils. My Executive colleagues and I have every confidence that the new councils will act in the public interest. The theme emerged from several contributions, including that from Mr Easton, of the opportunity that councils could take to sell the family silver, as it were. I have every confidence in colleagues in local government, having served in it for 25 years. I know that they will do the right thing, and any other suggestion is perhaps unhelpful.

11.15 am

One of the principal aims of the reform of public administration is to create stronger and more responsible local government. I think that including restrictive provisions would be contrary to that purpose and could remove a council's ability, potentially, to progress any town centre regeneration proposal for the benefit of local citizens. Many town or city centre car parks have already been identified as key sites in the development of possible regeneration projects for commercial centres. In developing any such town and city centre regeneration proposals, the new councils would also have to be mindful of their responsibilities for ensuring adequate car parking provision.

Mr Clarke: I thank the Minister for giving way on that point. You raised an interesting point when you identified that some of those car parks in Belfast are in strategic locations for regeneration or whatever. If that is the case, Minister, why would your Department not dispose of that as

an asset and realise that income as opposed to disposing of it to local government for them to realise the asset?

Mr Kennedy: I am grateful to the Member for his point. In Belfast and in other places, car parks owned and managed by the Department continue to play an important role for car parking provision. Of course, we look on an ongoing basis at proposals put to us. When regeneration or redevelopment schemes come forward, it will be the duty of councils to examine the possible benefits and the potential downsides in the loss of car parking spaces and how they could be substituted or provided elsewhere. Those are always issues that have to be considered.

On the point raised by Mr Lyttle, we have had constructive discussions with Belfast City Council. I think that only one car park — the one in the Corporation Street area — will remain not transferred because of the York Street interchange proposal. Council officials understand that and see the logic of that. We have been listening to local government.

I will complete the point about the Department creating a veto for itself by any amendment to the legislation. That would potentially run contrary to the spirit of the reform of public administration because it would leave some veto or retain decision-making in the Department. That clearly is not in the spirit of the changes that we want to see.

Mr Byrne made other points about the existing state of the car parks that are being transferred. I am very satisfied that they are in adequate condition. An example of that or something that helps to confirm that is the relatively low number of claims that were historically or are presently made against the Department for any particular personal injury or any associated claim. It is a very low number, and there are only five live cases across all the Department's car parks. I believe that that confirms the relatively good condition of the car parks. If the new councils maintain the current condition of the car parks, the quantum of expenditure on such public liability claims would have little or no impact on future council rates.

I move to what Mr Hussey said. This is a long-sought-after power. Even in my days in local government, we were looking for additional responsibilities. The measure, in itself, is not particularly earth-shattering, but it is important. It will allow councils the flexibility to bring forward initiatives, such as five hours for a pound, which has been welcomed by so many town centres and traders, including the representatives of NIIRTA, which was referred to earlier. The issue of free car parking for blue badge holders will be a devolved issue, if you like, for councils to determine. They will also be able to determine their own decisions on other special initiatives, such as pre-Christmas initiatives.

I welcome the fact that there has been so much general support. Mr Easton gave us a fairly comprehensive review of the Bill and what it seeks to do. I believe that we have a responsibility to try to meet the deadlines that are ahead of us, and I was pleased that there was widespread political support.

Mr Lyttle quoted Alex Attwood, the then Minister of the Environment, stating that functions transferring to councils would be:

> *"fit for purpose, sufficiently funded and cost-neutral to the ratepayer at the point of transfer." — [Official Report, Bound Volume 84, p109, col 1].*

The Executive did not agree that assets would be brought up to an improved standard prior to transfer, nor has my Department been funded to improve the condition of assets that would be provided to councils, but I believe that the assets that we are transferring are indeed fit for purpose.

I welcome the contributions of Members, look forward to watching the Committee Stage with interest and then, when it is brought back to the Floor of the Assembly, continuing to engage with Members as the Bill progresses through its various stages.

Question put and agreed to.

Resolved:

> *That the Second Stage of the Off-street Parking (Functions of District Councils) Bill [NIA Bill 40/11-16] be agreed.*

Education Bill: Consideration Stage

Mr Principal Deputy Speaker: I call the Minister of Education, Mr John O'Dowd, to move the Consideration Stage of the Education Bill.

Moved. — [Mr O'Dowd (The Minister of Education).]

Mr Principal Deputy 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 four groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on amendment Nos 1, 2, 3, 4, 5 and 8, which deal with functions and duties of the authority and technical matters. The second debate will be on amendment Nos 6 and 7, which deal with the departmental grant aid to sectoral bodies. The third debate will be on amendment Nos 9 to 20, which deal with membership, officers and committees. The fourth debate will be on amendment Nos 21 and 22, which deal with pay policy statements and the living wage.

Valid petitions of concern have been tabled in relation to amendment Nos 1, 2, 5, 11 to 15, 21 and 22. Each will therefore require a cross-community vote.

I remind Members who intend to speak that, during the debates on the four 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 the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 ordered to stand part of the Bill.

Clause 2 (Functions of the Authority)

Mr Principal Deputy Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 3, 4, 5 and 8. These amendments relate to functions and duties of the authority and technical matters.

Members should note that amendment Nos 1 and 5 are mutually exclusive. Valid petitions of concern have been received in relation to amendment Nos 1, 2 and 5, and, therefore, will require cross-party support.

Mr Lunn: I beg to move amendment No 1:In page 1, line 11, at end insert

> *"(2A) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote integrated education.".*

The following amendments stood on the Marshalled List:

No 2: In page 1, line 11, at end insert

> *"(2B) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote Irish-medium education.".— [Mr Lunn.]*

No 3: In page 1, line 11, at end insert

> *"(2C) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote shared education.".— [Mr McCallister.]*

No 4: In page 1, line 11, at end insert

> *"(2D) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote the community use of school premises.".— [Mr McCallister.]*

No 5: In page 1, line 11, at end insert

> *"(2E) It shall be the duty of the Education Authority to encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils.".— [Mr Agnew.]*

No 8: In clause 4, page 2, line 15, leave out "negative resolution" and insert "affirmative resolution".— *[Mr Kinahan.]*

I will say at the outset that, while this should have been a very good day for the education system, I have a feeling that we are not going to come out of it with much credit.

Amendment No 1 is a very minor adjustment to what already exists in legislation. The words "encourage and facilitate" exist in the 1989 Order and apply to the Department and the boards, so, naturally, they would have applied to the new authority and transferred from the boards. The purpose of this amendment is to introduce the word "promote". The Department has had an obligation in this respect for many years. I think that it is fair to say that, down the years, it has not covered itself in glory in the application and honouring of that obligation. We think that it is worthwhile to introduce the word "promote", which has a slightly stronger meaning and goes beyond "facilitate and encourage". According to the dictionary, promote means "to support and actively encourage", so it is not an earth-shattering amendment, and nor is amendment No 2 as, frankly, the two run in parallel. However, it already seems that it is too much for the DUP because we have petitions of concern for both these amendments.

The Drumragh judgement comes into this as well. Judge Treacy has given clear direction to reinforce this obligation once again. He has pointed out that the needs model in the area-based planning system is not really fit for purpose and does not allow for any growth in the integrated sector. However, so far, the Department has not accepted this. I will speak just about the integrated sector for now. Polls and any expression of public opinion that I have seen since I joined this place have indicated that there is a clear demand for more integration of our schoolchildren in integrated schools. Judge Treacy has defined integrated schools as schools in which Protestants and Catholics are educated together but states that a school with a Catholic maintained ethos or a controlled ethos does not really qualify as an integrated school as it has to have a non-partisan board and so on.

These two amendments are a fairly innocent attempt to move things on a wee bit, remind the Department and take the opportunity of the new set-up across the boards and the new authority. It is an opportunity to tidy up a few things. We had hoped that it would find approval across the House. Maybe I am naive. Maybe I am not old enough yet, but I did not expect this level of opposition from the DUP, given that its party leader has constantly espoused his support for integrated education. He says that it was the subject of the first speech that he ever made to a DUP gathering away back in his youth and that he

has continued with it ever since. I do not know what the Ulster Unionists are going to do on this, but Mr Kinahan and some of his party colleagues are on record as being supportive of integrated education. Where on earth is the harm in trying to give it another push on the back of the Drumragh judgement? It does not really matter because the dead hand of the DUP has descended, and the veto has been put in place. There is really no point in pursuing it, but we and other people will pursue it.

I am not going to repeat everything that I have said about integrated education in respect of the Irish medium, but the same principles apply. It has the same protection in previous legislation, and we have the same result; there is a petition of concern on that as well.

11.30 am

These two sectors deserve special attention. That has been recognised in our legislation for well over 20 years. The problem is that they have not received the special attention or impetus and promotion that they were supposed to get. I sometimes run out of things to say, but what is the objection to integrated education? What is the objection to putting our children together at an early age, with all the societal benefits that may flow from that? Yet we have this constant objection and, frankly, I wonder what some people are afraid of here.

The DUP told me yesterday that it now favours a single school system. To be frank, I am not too sure what that means. However, I have also heard it from the Ulster Unionists at times. They will have the opportunity today to explain what it means, but it seems to me to mean no more sectors. There will not be an integrated sector or an Irish-medium sector. There will also not be a Catholic maintained sector under the DUP's ambition. This is pie-in-the-sky nonsense. It is just not going to happen. If it were ever brought forward, they would suffer the same fate as we are today, because there would probably still be petitions of concern. It is totally unrealistic.

What is going on here is that the DUP just cannot abide the thought of any advancement, particularly in the Irish-medium sector. That is what it boils down to, and they are using the fact that they are applying their veto to integrated education as a smokescreen — a fig leaf — to cover their dislike for what they see as some sort of an attack on their culture or whatever. They just want nothing to do with what we will call those pesky do-gooders in the integrated sector and those pesky republican warriors in the Irish-medium sector. They want nothing to do with it. It is so backward-looking that it is pathetic.

The Irish-medium people, quite rightly, want to promote their ancient language. They want to sustain, maintain and promote it. Where on earth is the harm in that? It has been recognised in law that, if they want to have their own schools and be educated in the Irish language, they have a perfect right to do so, but, apparently, we are not going to extend this regulation in a simple way.

In amendment No 3, Mr McCallister wants to apply the same duty, including to "promote", to the concept of sharing in education, and we are not going to be as paranoiac about this as the DUP. In principle, we have no problem with the sharing concept. If done for the right reasons, it is perfectly valid. It enables schools to operate the full curriculum and the whole entitlement framework. If you have not got enough pupils in your A-level classes, you can combine with another school. That is the basic reason for it. We may have some reservations about the societal benefits of it. Certainly it would, perhaps, be more long term than full integration, but we are prepared to accept Mr McCallister's amendment.

Amendment No 4 provides for the community use of facilities. This goes back quite a long way. Mr McNarry is not here so far today, but, somewhere in the system, he still has a private Member's Bill asking for exactly that: extended use by communities of school facilities, which we think is an excellent idea. His amendment No 4 — sorry, Mr McCallister's amendment, not Mr McNarry's — states:

> *"It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote the community use of school premises".*

That is fine.

Even the DUP did not manage to find fault with that.

Amendment No 5 from the Green Party — Stephen is here — is a limited version of what we are trying to achieve.

Mr Agnew: I thank the Member for giving way. I just want to say from the outset that we support the Alliance amendment. We accept that it goes a little further than what we have proposed. Should the Alliance amendment fall, we will support ours, but given that, I think, we are trying to achieve the same thing, I accept that the Alliance amendment offers that bit more.

Mr Lunn: I thank the Member for that support. His amendment refers to the "education together" of Protestants and Catholics in the same school. That is lifted from the 1989 Order as well as the Drumragh judgement. The Drumragh judgement makes it clear that the fact that Protestants and Catholics are being educated in the same school does not make it an integrated school. It needs to go further than that, and it needs to have a board that has the ethos of promoting integration, societal sharing and bringing children together. What on earth is wrong with that? I look forward to hearing from the DUP on this, because yet another petition of concern has been tabled against that amendment.

Amendment No 8 refers to making orders relating to the Bill subject to positive rather than negative resolution. That is an ongoing discussion and we do not really have any problem with that, so I dare say that we will support it.

I will finish on this group. The whole purpose of our being here to pass legislation, debate and try to do what is best for our children in this situation is being trampled on — it will happen again as the day goes on — by petitions of concern on relatively simple matters where people appear to have suddenly changed their tune. They will be glad to know that I am looking at an article in the 'Irish News' today about CCMS's attitude to all this. They have effectively said that they want to see an end to the integrated sector and to its promotion. What are they afraid of? This is to do with parental choice and parental demand.

Mr McCausland: Will the Member give way?

Mr Lunn: In a moment.

We are perfectly happy to support parental choice for parents who want to send their child to any school in our education system. We think that there is room for Catholic-

maintained faith schools or Protestant faith schools, of which there are some. We think that there is ample room for the controlled sector, obviously, as it is huge. It deserves the support that the Bill will give it through a controlled sector body, but what a pity it is that there is such suspicion and paranoia coming from this side of the House when we discuss such matters.

I give way to Mr McCausland.

Mr McCausland: Does the Member accept that, when he says that these are relatively simple matters, they are also relatively sensitive matters? The word "simple" when referring to the complex architecture of education in Northern Ireland is somewhat misleading. Does he also accept that many of us believe that there should not be privilege and advantage for one sector over another, which is the point that this would provide? Other sectors such as the controlled sector should be promoted. There should be equality.

Mr Lunn: I thank Mr McCausland for that. I have had this discussion with certain DUP members, and their solution appears to be that all sectors deserve the same wording and that all sectors should be promoted, encouraged and facilitated. There is a reason — it is pretty obvious to everybody else, frankly — why the Irish-medium sector and the integrated sector have had that special encouragement and protection for 25 years: they were starting from scratch. They needed support, and there has been an upsurge of support in the community for them. However, it needs the Department and this authority to step up to the mark and continue to provide that support.

When I use the word "simple", I use it with regard to including the word "promotion". I remind the House that, on 23 November 2010, the House voted to support the promotion of integrated education. The DUP did not vote against it; it implicitly supported it. What has changed? This seems to be a matter of convenience from one debate to the next. Now, it is a single education system; now, it says, "We will give integrated and Irish-medium education absolutely nothing". I look forward to hearing from DUP representatives on that because I think that it is absolutely disgraceful. I will leave it at that.

Miss M McIlveen (The Chairperson of the Committee for Education): As the House is aware, the Bill was subject to the accelerated passage procedure and thus did not have a Committee Stage. With your indulgence, Mr Principal Deputy Speaker, at the outset I want to make a few remarks on group 1 as Chairperson of the Committee for Education. I would also like to declare an interest as a member of the board of governors of Killinchey Primary School and Castle Gardens Primary School in Newtownards.

Mr Lunn: Will the Member give way? Could I ask her to move the microphone closer? Sorry.

Miss M McIlveen: You do not want to miss a thing.

Mr Lunn: I really want to hear what you are saying.

Miss M McIlveen: I want to begin by talking about amendment Nos 1, 2 and 5, which deal with the promotion of integrated and Irish-medium education. When the Committee considered these matters as part of the previous Education Bill, you may not be surprised to learn, it could not come to an agreement. Some Members strongly felt that a level playing field for the different education sectors was required. Those Members argued against the promotion of one sector over another. Others disagreed, highlighting the need for proportionate additional support for what was termed a "culturally important sector" — Irish-medium education — and for what might be described as a socially important sector — integrated education.

Whatever view may be taken about the above, Members may also wish to consider the existing obligations on the Department to facilitate and encourage Irish-medium and integrated education. Some argue that what is known as the Drumragh judgement has provided some clarity in this regard; others might point to the recently published primary school area plans, which appear to show some caution on the part of the education and library boards, reflecting perhaps something less than clarity in respect of the treatment of these sectors.

In the absence of a Committee Stage, the Committee has not taken a formal view on these matters. I will, however, say more, as we move through, as a DUP MLA.

I also want to touch briefly on amendment No 3, which refers to the promotion of shared education. As you are aware, the Committee for Education is undertaking an inquiry into this and integrated education. The Committee has just commenced evidence taking and has not undertaken significant deliberations as yet. I should point out, however, that, as part of its consideration of the previous Education Bill, the Committee did some work on shared education.

The Committee felt that it certainly supported the principle of sharing resources and improving collaboration between schools where that enhances the effective management and efficient provision of education. I think that it is fair to summarise the Committee's view at that time that shared education was about the betterment of the educational experience for pupils. In that spirit, Members were certainly supportive of its promotion. However, the Committee also felt that, in the absence of a statutory definition and greater policy clarity, it was inappropriate to propose amendments like amendment No 3 to the previous Education Bill. Indeed, it was the need for policy clarity that prompted the Committee's current inquiry. The proponent of amendment No 3 might well argue that the policy position has developed in the 18 months since the last Bill. It might even be argued that this is an opportune moment to advance a popular grass-roots education policy like shared education. I have to say that the Committee has not taken a formal view on this at this time. Again, I will say a little more on that when I speak as an individual Member.

I turn to amendment No 4, which is about the community use of school premises. Although, again, the Committee has not taken a formal view on the need for a statutory duty in this regard, Members were certainly supportive of enhanced community participation with schools. Indeed, the Committee, only a few months ago, scrutinised and generally endorsed the Department's guidance on enhancing community access to school buildings.

11.45 am

I will now speak as a DUP MLA. As you are aware, we have tabled a number of petitions of concern, and we argue that they are essential to protect the integrity of the Bill. Education Bills have a history of being picked over by sectoral interests, and this Bill is about the replacement of

five education and library boards with a single authority. This is not ESA by the back door; this Bill is finely balanced. We feel that the amendments that we have petitioned against are either unnecessary, as provisions already exist in law, or overstep and unbalance the Bill. This is about the settlement that was established under the 1986 Order, and it is not against integrated education or any other sector, as Mr Lunn said. As Mr Lunn also said, the DUP wants to see all children educated together. We see shared education as one step towards that, but we do not believe in artificially forcing that process either.

Mr Lunn: Will the Member give way?

Miss M McIlveen: The DUP objects to amendment Nos 1, 2 and 5. Quite simply, the legislation already exists with regard to integrated education in article 64 of the Education Reform (Northern Ireland) Order 1989 —

Mr Lunn: Will the Member give way?

Miss M McIlveen: If you just let me finish this point.

— and article 89 of the Education (Northern Ireland) Order 1998. Those provisions are not being removed by this Bill. The amendments are therefore unnecessary. There is little point to rehashing the provisions of other legislation. The Department already funds NICIE and CnaG to promote the interests of the integrated education and Irish-medium sectors respectively. I am sure that a further body being required to promote those interests is not needed and would, in fact, be confusing and unhelpful in an already overcrowded system.

Mr Lunn: I thank the Chair for giving way. She used the word "forcing": where is the force? Perhaps she could explain to me what leads her to think that there is any compulsion or force involved. This is merely a mild strengthening of a duty that is already there and has been there all those years. You talk about another body being introduced; no other body is being introduced. In fact, we are going from five bodies to one. We just want to put into the Bill what is effectively already there, with just a tiny tweak, and it is spooking the DUP.

Miss M McIlveen: I thank the Member for his intervention. Perhaps he would prefer that I use the phrase "artificially incentivising" rather than "forcing" in respect of that. We believe that it is unnecessary.

We are concerned to a degree about amendment No 8, which talks about using the affirmative resolution procedure. We think that that may cause unnecessary delay, given that we are looking for essential provisions to be made. The amendment would mean that any supplementary, incidental, consequential or transitional provision that was needed or was appropriate to make the legislation effective would need to be laid before the Assembly after passing through the Education Committee. That could add a number of weeks to the process, so we have a concern about that. In saying that, we are willing to work with anyone to refine that, and, certainly, if the Ulster Unionist Party is perhaps inclined to look at how it wishes to proceed with that, we will discuss it.

The DUP is more than content to support amendment Nos 3 and 4, tabled by Mr McCallister. It is stated DUP policy that we support shared education. Our party leader has led the way on shared education. As I outlined earlier, the Education Committee has not yet reached a formal view and will be looking at this further. If the Member is still inclined to proceed with his amendment, some refinement of it may be needed at Further Consideration Stage. We will reserve our position in regard to that. Since my party leader has brought the issue to the fore, there has been a great deal of debate about the interpretation of the phrase, usually to suit specific sectoral interests. A common definition definitely needs to be finalised. While we know what we would like that to be, I would like to see it put on a statutory footing.

As a party, we are happy to support the community use of school premises, as proposed by Mr McCallister. Indeed, I recall that, a number of years ago, Mr McNarry proposed to bring forward a private Member's Bill in respect of that issue. At that time, we were happy to support him as well. The 1989 Order created an aspiration for schools to be used in that way. There is little doubt that a large number of schools have opened up their premises for such use. I certainly see that across my constituency. Schools have valuable assets that are grant-funded from the public purse. At the same time, we have councils that are being pressurised into providing buildings and facilities. That really amounts to a duplication of provision. This also assists schools by providing additional income. How it is managed will require some focus. I am pleased to note that Mr McCallister has proposed an amendment creating a standing committee for the new authority to look at that. Although that amendment will be debated later, we are content to support it.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Like the Member who spoke previously and Mr Lunn before her, I welcome the opportunity to speak today on this. I take on board Trevor Lunn's comments about the potential that today had to be a good day for education, but it may be a missed opportunity. I do not want to say that I agree with him entirely, but I think that commentators and education sectors out there will look on the actions of the DUP here today as being yet another missed opportunity to put out the hand of friendship to different sectors and show goodwill and reciprocation —

Mr McCausland: Will the Member give way?

Mr Hazzard: Go ahead.

Mr McCausland: Does the Member agree that it is somewhat presumptuous of him to express a view and then attribute it to education sectors? There might be different views in different sectors. It is just a possibility that the Member might want to consider.

Mr Hazzard: I thank the Member for the intervention, rather pointless as it was. I said "I think"; I was expressing my opinion. I think that people will look critically at the behaviour of the DUP today and its use of petitions of concern. I was surprised that the Chair was able to say with a straight face that they were protecting the integrity of the Bill.

As Mr Lunn pointed out, we are seeing a somewhat irrational — I think that the word was "pathetic" — objection to Irish-medium education and integrated education. The DUP says that legislation already provides for the protection and promotion of integrated and Irish-medium education, but it also does for controlled. Education and library boards and the authority have a duty to provide quality education in controlled schools. As we are going to outline today, Sinn Féin, through the Minister originally and then the ESA Bill, which had

funding for a controlled body that continues to do various pieces of work, is willing to show goodwill and say, "This is something we're ready to back", but, once again, the DUP seems totally unable to do that. Where is the reciprocated goodwill?

Sinn Féin is happy to support amendment Nos 1, 5 and 2, and we will oppose amendment Nos 3, 4 and 8. I will outline the reasons. Amendment No 3 places a duty on the authority to:

"encourage, facilitate and promote shared education."

As the Minister may outline later today, we do not have a legally defined and agreed definition of "shared education", so it will be somewhat difficult. I am sure that the Member will touch on that later. It is something that we will be able to return to in time. A further amendment concerns the community use of schools. This is an example of where good intentions — we touched on this yesterday — do not necessarily make good policy. The authority will have no function in relation to many of the maintained, integrated or Irish-medium schools, so I am not sure about the extent to which it would be able to do that.

Finally, on the idea of negative resolution, I agree with the Chair: it is customary practice for the Bill to do that. It is not giving carte blanche to tinker at will with the legislation; it is just technical. I am sure that the Minister will outline later that, if subordinate legislation was to come forward, it has to come to the Committee. Any Committee member or any Member can bring a prayer of annulment against anything that comes. That is my take on it, anyway.

We will support amendment Nos 1, 5 and 2, and we will oppose amendment Nos 3, 4 and 8.

Mr Rogers: I reiterate that the wasting of £17 million of public money on the Education and Skills Authority Bill was completely unacceptable. What do we want out of education? We want a good education system for all our children. The Minister has talked frequently about a strategic direction for this Bill, and that is what we need. We need our young people to have the right skills so that we can set our economy in fast-forward mode.

There are many things that we need to fix, and we all acknowledge the problems we have, whether they are in early years, in our curriculum, in numeracy and literacy — should I call them mathematics and English? — etc. We need to ensure that the new builds that have been announced are fast-tracked and that shovels are put in the ground to ensure that our construction industry gets those opportunities.

Our teachers have suffered from an initiative overload over the years. We had the NINA and the NILA and whatever else, and just when teachers were getting into them, things were changed with computer-based assessment, which was a bit of a disaster. The whole idea of being strategic is extremely important to where we will go with our education.

There are three issues. First, our young people need to get the opportunities to realise their potential. Secondly, our parents need support: they need to be encouraged and facilitated to ensure that their children achieve. Remember that 80% of education takes place outside the school. Thirdly, our teachers need to have time to do what they joined the profession to do: teach.

I will move on to the first group of amendments. We are happy to support the amendments regarding the functions and duties of the authority and technical matters. We are committed to an education system that provides the best possible education for every student in Northern Ireland. We firmly believe in parental choice. We also recognise that the various sectors that are available to parents and pupils here are indicative of our unique educational landscape. The Bill, in its original form, neglects to give adequate attention to the integrated and Irish-medium sectors and to voluntary grammars, which constitute a significant proportion of our system. Many people in those systems have highlighted the detrimental impact of the lack of legislative obligation. Making it a duty of the new authority to facilitate and promote them will help to make it a truly representative body.

We intend to support Mr Lunn's two amendments. We also intend to support Mr McCallister's amendments regarding shared education and the community use of schools. Like others, I urge caution on shared education, because we need to get it right. What do we mean by "shared education"? Do we mean two schools meeting once a year for a football match? Do we mean something on the level of the fantastic programme that we heard is happening in Cross and Passion College and Ballycastle High School at the Education Committee last week? Do we mean what is happening in integrated schools? I agree with other Members that there is quite a bit of work to be done.

We will support John McCallister's amendment on the community use of schools, but I urge caution. Do not put any more responsibility or pressure on our school leaders: they need support.

We will support Steven Agnew's amendment, but, like Mr Lunn, I have reservations about talking just about Catholic and Protestant because there are many people who are neither who wish to be involved in our education system.

We will also support the Ulster Unionist amendments.

Mr Kinahan: I am very grateful to be speaking. I apologise if you see me going in and out of the Chamber constantly throughout the day. If I can make a plug — it is an education plug — the Bloodhound, which is the vehicle that will try to break the world record for going at 1,000 mph next year or the year after in South Africa, is here for children to learn all about its technological aspects, which might inspire primary-school children to take up engineering and other sciences later. That is what it is there for, so I ask everyone to have a look at it so that we can push it and get more children into that world, because that is where the jobs are and where the future lies.

12.00 noon

I am very pleased that we have got here again and will, hopefully, get to an education authority that works for all of us. It is good to see it here. We wanted to see a leaner, more efficient body, and let us all try to get there.

I am going to have a slight grumble still that, if we were not doing accelerated passage, we would not have quite so many amendments and would probably not be having the petitions of concern. We would be sitting down and doing what we should be doing in this Building: talking to each other and finding the right way forward. However, we have got what we have got, and enough of a grump from me on

that, but we do need to find a way to work out how we are going to get this body to work.

I hate seeing a petition of concern being used at any time. It is the wrong way to do any form of government. It is a sort of bullying to get your own way. I thought that those days were finished at school. I thought we even had legislation against bullying. Anyway, you know that this party wants a single shared education system. By that we are looking at a big shared education system with everything working in together. So it is great to know that the DUP is thinking along similar lines. I think we are, on the whole, all in here wanting to get in the same direction, but somehow, when it gets to wording, we all fall out.

What I really want to see from this Bill is a board that represents every single sector of school in proportion to the numbers of pupils they have, and that can change in the future as the changes carry on because the world will change. We know that it is an interim Bill, but not if it is an interim Bill for two or three years or one that could still be on the statute book in 10 or 20 years.

We have got to get something here that works, and yet I would like a little bit of direction from the Minister. We are told that we have a body here that is not meant to be making strategic decisions, yet, at the same time, it is going to be involved in policy, so actually it is. That goes back to my previous point that we have got to have a system that works well into the future and changes as our schools change.

I would love to be supporting amendment No 1, which is to encourage and facilitate integrated education. In one way, it already has all the support it needs, which is through the Belfast Agreement and the Acts that are in place. This amendment does not give it any more. Yes, it mentions it in the Bill and puts it there. We all need to be talking this through over the next two or three weeks before we get to the next stage. I want shared education, and shared is the bigger bubble which integrated is in, so I will be supporting John McCallister's amendment more. We have not got a definition for that, but I will touch on that in a minute.

Mr Lyttle: Will the Member give way?

Mr Kinahan: I am happy to give way, yes.

Mr Lyttle: Will the Member help us to understand a bit more what exactly he means by a single but shared education system and why he is not, therefore, able to support integrated education?

Mr Kinahan: Thank you. We had a debate on that a few months ago where we all managed to find different ways of trying to understand what shared education is. As I see it, it is a mechanism whereby we are all going towards the same aim, which is everyone learning together but accepting each other's religions and differences and working together.

At the moment, we have integrated, which is fantastic and does very well but has no religion involved in it. We have to recognise and accept people's religion. Before you say it, I recognise that within your family and church is your way of doing it, but there are so many other things. We have integrated schools with a big "I", which are integrated and fine, but we have a mass of controlled schools that are as good as integrated and mixed schools.

What I am trying to get to by pushing for a single shared system is everyone sharing as much as they can but recognising their religious differences and working together. It is so nearly the same, but shared is a bigger encompassment of it all. Until we get a proper definition, that is the only reason why I am not supporting the amendment.

Mr Lunn: Will the Member give way?

Mr Kinahan: I will happily give way.

Mr Lunn: The Member is on record from only a few weeks ago as supporting integrated education — and I forget the exact term he used — with every bone in his body, every fibre of his being or everything he has ever believed in, but it seems that, when it comes to actually voting for it, he has a problem. It is OK to speak to it but not to vote for it.

Just to touch on the point, Mr Kinahan, about there being no religion in it. Integrated schools have religious instruction. They prepare Catholic children for the sacraments, to the entire satisfaction of the Catholic bishops. Do not tell me that Protestant children are in some way left out because of that. They cater for all.

Mr Kinahan: It is more the choice between integrated with a capital "I" and integrated with a small "i". I am not saying, "This week, in the Chamber, and on this particular amendment." I want us to agree that we will get it agreed by all of us over the next few weeks so that we get something that works. Putting it in as it is today is the wrong way, until we know exactly what we are doing with shared education and a whole lot of the other amendments. It is about the order that things come in. Let us use the time that we have to get something out of it. I fully support integrated education, but it is with a small "i" and it is about trying to get everyone into a shared system, of which integrated is very much a part.

Mr Hazzard: Will the Member give way?

Mr Kinahan: Yes, if I can remember where I am each time.

Mr Hazzard: I thank the Member for giving way. I welcome that he supports integration with a small "i", but surely that calls the Member's party's support for academic selection into question. You say that you want kids from all backgrounds to be together in the classroom. Academic selection keeps them apart. If you accept integration on a religious basis, surely it is also important to support it on a socio-economic basis, whether with a small "i" or big "I".

Mr Kinahan: I challenge you on the fact that it keeps them apart. It does keep different streams apart, and we have to find a way of sharing that too, which also fits into my vision of a shared future.

I am all for academic selection and getting our voluntary schools in, but we must find a way of spreading it to everyone. It is the same argument that we have all the time. Rather than destroy the best schools and reduce them all to the lowest common denominator, let us lift every school to get every advantage that we can from sharing. That is where I am coming from. We are not that far apart. It is just when it comes to the words and the names that it falls apart.

We will oppose amendment No 1 and, for the same reasons, amendment No 2, until we get an idea of where we are going with sharing. It is the same idea. Let us sit down over the next few months and try to work it out. Do

not split hairs on it, which is what you are trying to do at the moment. Let us find a way that we can work through it so that the Irish language is included just as much.

As you have just heard, I am really pleased to see amendment No 3, on shared education, being brought forward. However, we need a definition. My feeling is that we want to support it and put it through but that we should maybe not move it, which I think is what the Department is asking for, and get a definition in place so that all the Bill can be thought through so that it fits together and is not just parties having a shot at one another.

As I have said all the way through, the vision is to try to get all types of schools sharing, academically and religiously. We do have a problem in that we spend a lot of time in the Chamber talking about the sectors and forget that a whole mass of other people in Northern Ireland are part of the education system too. We need to work for everybody. I want to see an education system that gives everybody a chance to learn, so that they can go and work anywhere in the world and that Northern Ireland can become a leader in the world. People would be brought up here to recognise everybody with mutual respect and a shared future, all pulling together. Northern Ireland would then find its place in the world.

I fully accept that what is in amendment No 4 is happening at the moment and do not mind it going in. We will support it. However, I do have one concern, as I have said before. We have a mass of council buildings. The more we push to use schools, we must find some way of working with councils to make sure that, when schools start pulling everyone in, as they should, we do not end up with a mass of other buildings that are not being used and other communities losing support because of, for example, distance or transport. We have to think our way through that one. However, we are supporting amendment No 4.

Amendment No 5, from the Green Party, is just too narrow for me. Again, I want us all to sit down and find the right way forward with this. At the moment, we are all jousting over our individual ways forward for schools. The amendment has a lot of the right values, but I do not want just Catholic and Protestant; I want everybody involved: Muslim, Jew or whatever.

Mr Lunn: I thank the Member for giving way. Will he not accept that the terms of amendment No 5 are only exactly what it already says in legislation? There is no difference. I have not heard the Member, in fairness to him, speak against it. He just does not seem able to support it. It does not make any difference.

Mr Kinahan: I sometimes wonder whether the Member ever listens to anything that I say. I just said very clearly that it only mentions Catholic and Protestant and that I want it to be broader than that. That is the only reason that I am not supporting it. It says a lot of the right things, but, again, we need to think through the wording. The point of what we are doing at the moment is to get everyone thinking and to come together and get it right for next time.

I take on board what the Chair of the Committee said about amendment No 8. We wanted to make sure that there was a system whereby nothing was brought through slyly by any Minister from any side in the future. We wanted something that would work and would make sure that we, as a democratic institution, have a chance to have our say. I am quite happy not to move the amendment today so that we can look again at how we bring it in so that there is a system of checks and balances and also speed in the system so that we can tackle things. It will be a fine balance. I go back to the point that I made at the beginning. Because of accelerated passage, everything is piling onto one Bill today, with not much chance for any of us to talk to one another and find collective ways forward.

Mr Newton: The Chair, speaking in her capacity as Chair and also as a member of the DUP, indicated what we will and will not support. When we were speaking about accelerated passage last week, I said that I felt that it was a good day for education. I still believe that this is a good day for education. Indeed, whilst there are differing views in the Chamber, I am still confident that we can find our way through those differing views and produce an education authority that will serve the pupils of Northern Ireland well in the future.

It is good to see the Chamber filled today with young people who are still in education and who are the future of Northern Ireland. It is good to see them here and interested in the debate, because it is they who will carry forward our future and who will set the barometers and the standards for society in the future. I have every confidence in the young people of Northern Ireland that they will do that responsibly.

There are those who are, to some degree, harking back to the ESA Bill, as perhaps outlined in their thinking in the amendments. I want to say a few words on each of them, because the Chair has covered them in detail from a DUP perspective.

The ethos, certainly from this side of the House, was that we were trying to get an education authority that would be good for education, would be flexible and innovative in how it would deliver and, indeed, proactive and reactive to the changing circumstances of education provision in the Province. The ESA Bill, in its attempt to do so, did nothing but divide the House to the extent that there could not possibly have been any progress. It was my feeling, and that of my colleagues, that we had reached a stage with the education authority Bill that we were going to move forward beyond the ESA and beyond the arguments. Of course there is a time for arguments, but there is a time for debate, a time to put forward your views and a time to resolve those views for the betterment of our education system.

There certainly was a feeling with ESA that there was no agreement and no recognition that all sectors — there obviously are sectors within our education system — were not on a level playing field. There is the potential to move beyond that discussion and to get us all working on that level playing field. There are arguments around it, and you can understand that. My position is that there is a need for the controlled sector to play on a level playing field, and you can understand the role that others play.

12.15 pm

I recognise the passion that Trevor Lunn has for the integrated sector. I want to say this, and this point was raised, I think, by Mr Kinahan as well: I chose integrated education for my children. I did not choose a school that had “integrated education” in its title; it was not identified as such. My wife and I chose to send our children to Methodist College, a school that, from its foundation, has opened its doors to children and pupils from all backgrounds, both

religious backgrounds and racial backgrounds. It is a fine example of how integrated education works without having the word "integrated" in the title of a school. It does not stand outside the controlled sector — it stands within it — but it opens its doors to children from all backgrounds. Indeed, there are a growing number of schools in the controlled sector that do exactly the same.

There is an amendment around shared education. The party leader has spoken on that, and the Chair has indicated how we want to take it forward. However, there is no Committee view on what shared education is or what it means. Indeed, the Committee's inquiry into shared education has just started.

Mr Kinahan also referred to what I suppose is a paragon within the circumstances of education. The principals of two schools in Ballycastle gave evidence to the Education Committee on shared education. You could not have faulted those principals on their approach, enthusiasm, leadership and responsibilities. Indeed, one of the principals indicated that he felt that he had taken a major step forward when Ballycastle High School and Cross and Passion College had embarked on that road. One of the milestones that he measured progress by was when he saw a hockey stick sitting side by side with a hurling stick in one of his classrooms.

Mr Lunn: I thank the Member for giving way, and I am sorry to have to take him back a wee bit. He specified Methodist College as a perfect example of natural integration. I completely agree with him, and there are plenty of other examples, such as Dominican College, my old school — BRA — and St Columbanus' College. We all know them. I think that Mr McCausland also went to BRA; where did I go wrong? The point is this: why, if you are going to cite good examples of where Catholic, Protestant and other children are educated together, would you oppose an extension of that principle? That is it in simple terms. Why support one but not the other?

Mr Newton: I am not supporting one and objecting to the other as it stands. What I am saying is that, on the point of integrated education — I understand that Mr Lunn is the product of integrated education but not of the integrated sector. You can see what a fine job the truly integrated sector has done with Mr Lunn. It is evidenced there.

Mr McCausland: Will the Member give way?

Mr Newton: I am happy to give way.

Mr McCausland: Would the Member note that the same school produced Basil McCrea?

Mr Newton: Well —

Mr Lunn: Will the Member give way?

Mr Newton: I am happy to give way.

Mr Lunn: I just want to make the point that BRA was not really integrated in my day, to be honest. I was in BRA when the first Roman Catholic arrived at the school. He joined our form at junior certificate level, and it was a minor sensation because, until then, we only had, effectively, Protestants and a fairly substantial Jewish population. It has moved on, and it is good to see.

Mr Newton: I turn to amendment No 4, which is on community use. There is no doubt that there is a greater movement towards schools and community and schools and councils working together on this issue, and it is an important issue. It is an important issue, even in terms of the encouragement of the well-being of the population in the area and, indeed, the health of the local population. Indeed, it is something to be encouraged.

Specifically on amendment No 5, there are differing views on this, obviously. As we have already said, there is not a constant view of integrated education. However, it seems a little hypocritical for Mr Hazzard to indicate in favour of amendment No 5 but then indicate that he will vote against the shared education amendment. That seems —

Mr Hazzard: Thanks to the Member for giving way. On a point of clarification, I am totally in support of shared education. The fact is that we do not have an agreed and confirmed definition of what shared education is. That will be forthcoming in the months and years ahead. I just think that the amendment is not timely.

Mr Newton: I thank the Member for that clarification.

The headline in today's 'Irish News' shows the differing views:

> *"CCMS tells ministers to stop promoting integrated education".*

There is a barrier and a hurdle to be gotten over, and, if we were to go ahead and adopt amendment No 5, it would, in fact, place the Bill in much more difficult circumstances than we all envisaged the Bill to be in when we debated it last week.

Mr Principal Deputy Speaker: I call Mr Pat Sheehan. If you need a few minutes beyond 12.30 pm to finish your remarks, I am happy with that.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I speak in support of amendment Nos 1, 2 and 5, and I oppose amendment Nos 3, 4 and 8.

I will start with amendment No 8. We will oppose that amendment for the reasons that have already been articulated by my colleague Chris Hazzard. There is no need for me to go into them again.

On the amendment relating to shared education, there was some toing and froing across the Chamber a moment ago. It is clear that there are some excellent models of shared education. Indeed, last week, we had the principals of Ballycastle High School and Cross and Passion College at the Committee. A few Members have already mentioned that. It is an absolutely excellent model of sharing resources. Everyone at the Committee that day was very impressed by the model of sharing that is working and working very well in Ballycastle. However, both principals agreed, as did a couple of academics who were in the Committee afterwards, that, while that model works in Ballycastle, it may not work in other areas in the North, particularly in areas that were affected to a greater extent by the conflict. I am talking about interface areas such as in north Belfast, where the model that exists in Ballycastle might not necessarily work as well.

While we have examples and models of sharing, we do not have a clear legal definition. Miss McIlveen said that she supported shared education, but a common definition needs to be finalised. She would also like support for shared education to be put on a statutory footing. I cannot understand how you can put something on a statutory

footing when you do not have a legal definition of it. There is a clear legal definition of integrated education but not of shared education. As my colleague Chris Hazzard said, hopefully we can come to an agreed definition of what we want shared education to be at some stage in the future.

Amendment No 4 relates to the issue of encouraging, facilitating and promoting the community use of school premises. Again, we are asking the new authority to do something that is not within its remit; it is not within its gift. According to the evidence that we have, almost 80% of schools already allow their premises to be used by communities. The fact is that many of the schools would not be under the control of the new authority. Maintained, integrated and Irish-medium schools would be outside the remit of the new authority. They could not in any way force the managing authorities of those schools to allow them —

Mr McCallister: Will the Member give way?

Mr Sheehan: Sure.

Mr McCallister: Does the Member accept that all those schools receive public money?

Mr Sheehan: Of course I do. Is there another point you want to make on that?

Mr McCallister: I am happy to elaborate. If schools are getting public money, we should, of course, call the tune on how much activity goes on in them. We need to sweat all the assets that we have. Schools should be at the hub of communities, and I want that to be promoted and invested in. We cannot afford to have schools that receive public money not being used for the good of the community.

Mr Sheehan: I have no disagreement with anything that the Member has said, but, if the authority does not have legal ownership of the schools, it cannot force the managing authorities to make them available for community use. While I agree with the sentiment that is being expressed in that amendment, I do not think that it would in any way obligate managing authorities to accept the dictate of the new authority. Simply on that basis, I oppose that amendment. I do not have any —

Mr Craig: I thank the Member for giving way. In my bitter experience of the authorities that oversee schools, it is not the real authorities — the boards of governors — that are the sticking block. I find that, when it comes to the main authorities, which, in today's sense, are the five boards, there is always an issue, so I fully agree with John on this point. There must be something in there that incentivises the new authority to encourage the sharing of these facilities, because, at present, it is often the authorities — the boards — that are the blocking points to their being used as community facilities. Only a few weeks ago, I had a major argument with the local board about the use of a football club and pitches in one of our schools. It is absolutely imperative that we have John's amendment to encourage that local use.

Mr Sheehan: Again, I do not disagree with anything the Member said, except the last bit. I do not think that the amendment would encourage the boards to follow the course of action that you refer to. I wholeheartedly agree that schools should be the hub of any community and their facilities should be available to the community, whether they are educational, sporting or whatever. The amendment on its own will not bring that about. For that reason and that reason only I oppose the amendment.

12.30 pm

I will move on to amendment Nos 1 and 2, on the issues of integrated and Irish-medium education, and amendment No 5, which is a similar amendment on integrated education. When it comes to the DUP, I am not sure whether it supports integration or is opposed to it — the leader was out not that long ago saying that the DUP supported integration in the whole education system — so I am a bit concerned about that. They regularly talk about this level playing field; the fact is that in terms of Irish-medium education and integrated education, there is no level playing field. That is why there is a legal obligation on the Minister to encourage and facilitate both those sectors. They are not even at the starting line yet, and they need to be brought up to the starting line. That is why that obligation is there. That is why the Minister is under that obligation to encourage and facilitate. It strikes me that, given what DUP Members have said about integrated education, they support it, but why are they opposing it today? It seems to me that we get back to the same old story: they are totally opposed to anything to do with Irish-medium education.

Mr McCausland: Will the Member give way?

Mr Newton: Will the Member give way?

Mr Sheehan: Let me finish the point, and I will give way to the two of you. The point is this: in order to pretend that they do not have some sort of bigotry against Irish-medium education, they decide to oppose Irish-medium education and integrated.

Mr McCausland: Thank you for the opportunity to intervene. The key point for me is not that the new authority should not encourage or facilitate anything but that it should be done on a basis of equality. There should not be preferential treatment and a preferential responsibility put on the new authority to promote one over another, because , if there is a reference in the legislation that says that it is a duty to promote and encourage a particular section and that responsibility is not applied to others, there is a preferential position and a discriminatory position being delivered. I hope that the other Member will help with that answer.

Mr Sheehan: If Mr Newton wants to make a contribution —

Mr Newton: My comment was along the same lines, but I am grateful to the Member for giving way to my colleague.

Mr Sheehan: If we are talking about equality, I hope that the Member will also apply that criterion to membership of the board. In respect of equality and preferential treatment, as the Member called it, we make disabled accesses for people who are disabled because they need to be treated in an equal way. Sporting organisations organise competitions in particular age groups for children so that there will be equal access or equal treatment for all children in that age group. It is not a matter of preferential treatment; it is a matter of equality. On that point, I will finish.

Mr Principal Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. When the House returns, the first item of business will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.34 pm.

On resuming —

2.00 pm

Oral Answers to Questions

Regional Development

Mr Principal Deputy Speaker: We will start with listed questions.

Park-and-ride Facilities: Lisburn

1. **Mrs Hale** asked the Minister for Regional Development to outline his plans for extending park-and-ride facilities at Sprucefield and the general Lisburn area. *(AQO 6880/11-15)*

Mr Kennedy (The Minister for Regional Development): I am very pleased to say that the park-and-ride site at Sprucefield has been an outstanding success, with a dedicated 20-minute service running to Belfast's Great Victoria Street bus station during peak hours at a cost of £6·10 for a return journey or £22·50 for a week.

More and more commuters are seeing the benefits of switching to public transport, which is afforded priority over other traffic on the inbound bus lanes on the M1. The existing site holds up to 320 vehicles and is currently operating close to capacity. As such, my Department intends, subject to the proposal clearing the necessary statutory procedures, to provide a new 650-space park-and-ride site with full facilities at Sprucefield to expand the existing provision in that area. In addition, Translink currently has proposals at the early feasibility stages of development to provide a park-and-ride facility on the former college of further education site at Knockmore Road, Lisburn. Delivery of that project will be subject to the necessary statutory approvals and availability of funding.

Mrs Hale: I thank the Minister for his answer. Will he assure the House that park-and-ride will not hinder further economic development at Sprucefield, Lisburn?

Mr Kennedy: I am grateful to the Member for her supplementary question. My view is that park-and-ride will complement retail and, indeed, better and easier connectivity. It has been an undoubted success at Sprucefield, and I look forward, hopefully, to bringing forward the new scheme that will increase, enhance and improve it.

Mr McAleer: Is the Minister minded to look at the possibility of extending the bus lane on the M1 hard shoulder to reduce journey times and incentivise motorists to take public transport into the city?

Mr Kennedy: I am grateful to the Member for asking that question. It is something that we are considering. Obviously, whilst there may well be benefits in terms of congestion, we would also have to ensure that there was immediate and available access for emergency vehicles etc. However, we are looking at that, and I hope to say something about it in the not-too-distant future.

Mrs Dobson: The Minister will be well aware of my lobbying on behalf of park-and-ride facilities, particularly in my constituency of Upper Bann. Will he outline what plans Translink has to progress additional sites in this and the next financial years?

Mr Kennedy: I am grateful to the Member for her question. Translink has proposals to take forward seven park-and-ride rail and bus schemes in 2014-15 and 2015-16. For rail, they include Ballymoney, Whiteabbey, Cullybackey and Moira, and for bus, they include the Ballymartin area of Belfast and, of particular attention to her — and I hope she will be pleased — we intend to develop sites at Portadown and Lurgan in the Upper Bann constituency. I have no doubt that she will be pleased with that news.

Roads Maintenance: Spend

2. **Mr McNarry** asked the Minister for Regional Development how much has been spent on roads maintenance in each of the past three years per mile of road. *(AQO 6881/11-15)*

Mr Kennedy: Maintaining the road network continues to be one of my Department's highest priorities. In Northern Ireland, there are 16,200 miles of publicly maintained roads, including 5,800 bridges and 295,000 illuminated assets, which include street lights. Maintenance funding comes from my Department's capital and resource budgets. Capital structural maintenance is carried out to improve the long-term condition of the network and includes activities such as resurfacing and surface dressing, whereas the resource budget is used to fund the day-to-day maintenance operations such as patching, which is part of structural maintenance, grass cutting and winter service.

It has been independently established that some £133 million at 2012 prices is required annually to maintain the network. The current structural maintenance budget is some £65 million, leaving a shortfall of £68 million.

During the past three financial years the respective amounts spent on structural maintenance were £7,633 per mile in 2011-12, £6,929 per mile in 2012-13, and £8,291 per mile in 2013-14.

Mr McNarry: I thank the Minister for his very interesting answer. I picked up on him using the word "shortfall". Minister, your Department says that, of the average £160 road tax income received per vehicle, it spent only £118 in 2010 and upped that last year to £138. That is a shortfall of £44 million and £23 million respectively, raised by our motorists but not spent here. In light of that, will you give an undertaking to the House to obtain the transfer of excise duty and annually publish the amount raised and the amount spent on road maintenance?

Mr Kennedy: I am grateful to the Member for his supplementary question. He poses me quite an interesting challenge, which I have no difficulty in attempting, but I assume that it will mean that I will be actively engaged with DFP and Executive colleagues as we seek to make that change and see whether benefit could therefore be accrued. I have consistently argued the case for adequate finance for roads maintenance and structural issues around the Executive table. The Member, as a member of the Committee for Regional Development, will accept that. Indeed, the Committee has been pleased and has given me support for that in the past, and I hope that that will continue.

Mr Givan: The Minister will be aware — as, I am sure, all Members are — of examples where resurfacing schemes have taken place only for public and private

utility companies to come in very soon after that and dig up the roads, then leave them in a condition that taxpayers often find unacceptable. What more can be done by the Department to prevent those circumstances from taking place and, when they do, what responsibility can be put on those utility companies that carry out that work to make sure that it is restored to the manner in which it was before they started the work?

Mr Kennedy: I am grateful to the Member for his question. I realise that there are occasions when that appears to happen and, indeed, does happen. We try to minimise those as much as possible by being aware of schemes being undertaken by the different utility companies. Of course, we have a hold-back period of up to a year if we are not entirely satisfied that it is absolutely necessary to be done at that time. Of course, if there are cases where the repair work carried out by any of the utility companies, or, indeed, anyone else, is found to be unsatisfactory or substandard, we are very active in ensuring that that work is done to an acceptable level, even if it means insisting that contractors return. It is something that I am personally interested in, and I give the Member an assurance that we limit the number of cases. I think that it has improved over recent years, and it is something that we always bear in mind.

Mr Dallat: I am being very careful not to shoot the messenger, because he inherits an awful legacy of neglect in terms of road safety, but can the Minister go on accepting the crumbs from the rich man's table and depending on monitoring rounds to shore up a maintenance programme that is deteriorating by the day?

Mr Kennedy: I am grateful to the Member for the point that he makes. I would rather have a budget that is differently structured. I think that it would make more sense for that budget to be established and known at the start of a financial year. It would certainly make for better planning. It would also give us a better chance to get more benefit for the money that we spend in terms of the timing of work being carried out. I have been making that argument around the Executive table and to the Finance Minister, and I will continue to do so.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Could the Minister give us an estimate of how much moneys might come to road maintenance from the October monitoring round?

Mr Kennedy: The Member should know that we are bidding for significant moneys in October monitoring. On capital resource, we have bid for something like £45 million. Obviously, we could spend that money without fear or favour. Early indications are that we are not going to receive that amount. In fact, it may be that only one third of that amount is available for structural maintenance. I have to say that I am concerned about that, because I feel that the network needs to be constantly maintained. As we approach the deeper winter period in particular, I think that it is important that we get the opportunity to spend as much as possible on structural maintenance and reduce the likelihood of accidents or incidents and, indeed, the potential for claims against the Department.

Belfast Rapid Transit System

3. **Mr Humphrey** asked the Minister for Regional Development for an update on the Belfast rapid transit system. *(AQO 6882/11-15)*

7. **Mr McKay** asked the Minister for Regional Development for an update on the Belfast rapid transit system. *(AQO 6886/11-15)*

Mr Kennedy: With the Principal Deputy Speaker's permission, I would like to reply to questions 3 and 7 together, as they are on the same subject.

The implementation phase of the Belfast rapid transit project began in May of this year. Work is progressing well on the construction of a new 520-space park-and-ride facility at Dundonald. It is anticipated that this will be operational in December and be served by existing Translink services prior to Belfast rapid transit becoming operational in 2017. Work is also progressing on the sections of the Belfast rapid transit route on the Upper Newtownards Road between Sandown Road and Knock Road, and on the Falls Road between Grosvenor Road and Whiterock Road. The works have been well publicised in advance, and details of the impacts on local traffic are available on my Department's TrafficwatchNI website.

In May of this year, I committed funding to enable the procurement of the rapid transit vehicles to commence. It will take approximately three years from procurement to delivery of the proposed fleet of 38 vehicles. The new Belfast rapid transit system is scheduled to become operational in 2017, subject to the completion of the necessary statutory processes and the availability of finance.

Mr Humphrey: I thank the Minister for his answer. I am pleased about and welcome the development in east and west Belfast. Can the Minister inform the House whether he has any plans for or ideas as to when the great constituency of North Belfast will be included in the rapid transit system?

Mr Kennedy: I am grateful to the Member for his supplementary. While I am not a prophet nor the son of a prophet, I think we were able to identify the question that he might ask. The pilot network that my Department is developing will connect east Belfast, west Belfast and the Titanic Quarter, and will go through the city centre. However, my Department intends to extend the network to the north and south of the city. Of course, this is subject to the success of the pilot routes and the availability of funding. My Department is engaging with those responsible for proposed developments on potential routes outside the current pilot network, including DSD and the University of Ulster, to ensure as far as possible that the future provision of Belfast rapid transit (BRT) to key areas is not prejudiced. So, I think that there is some good news.

2.15 pm

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I start by congratulating the Minister on the successful cycling conference that the Department held last week. Cyclists often come across problems with bus lanes. Can the Minister outline what vehicles will or will not be allowed in BRT lanes and how discussions about that are progressing, as this will obviously have an impact on travel times and sustainable transport?

Mr Kennedy: I am grateful to the Member for his supplementary question and, indeed, almost blushed at his high praise for the cycling conference last week. *[Laughter.]* I pay particular tribute to the organisers of that in my Department's cycling unit. They excelled

themselves. The speakers that we engaged were high quality; there was huge interest; and I thank the Member and other Members, including the Chair of the Regional Development Committee, who attended or dropped in to hear some of the benefits of cycling. The conference will be put on the website at some stage, so that others who were not there will be able to share in its success.

The Member will know that we are going forward with the model of bus — some people call it the bendy bus — that has the capacity to hold more passengers. Cyclists, of course, will be allowed into bus lanes, as they are at present. We see very much the opportunity for the rapid transit system to provide huge benefits for the city of Belfast. We also expect to have an integrated ticketing system, and, of course, it will also be incorporated into and integrated with the new Belfast bike hire scheme, which is scheduled to come into operation early next year. I am aware that the Member is a keen cyclist. Those with folding bicycles will be able to carry them onto BRT vehicles.

Mr McKinney: I assure the Minister that my question is not facetious; sometimes, Members have to call it: does he agree with me that progress on the Belfast rapid transport system is far from rapid and, given what he has outlined, is in fact going at a snail's pace?

Mr Kennedy: Whilst I am grateful to the Member for his supplementary question, I am afraid that I do not agree with him. We have pursued this scheme with considerable vigour and continue to do so. We have learnt important lessons from other major cities, including Nantes. We have engaged with stakeholders and other interested parties, including those from the residential areas that will be impacted. It is not a piece of work that you can simply impose on communities or create magically, as it were. We have adopted the right approach. I hope very much that he recognises the benefits of a rapid transit system and will be a little less cynical or perhaps even less negative about it. I am happy to ask officials to give him a full briefing to reassure him.

Mr Kinahan: As we are talking about rapid transit, I know that the Minister has visited the Bloodhound outside on the apron and wonder whether he might adopt that as the departmental car or use some of its technology for faster transit in the future. *[Laughter.]*

Mr Kennedy: I am conscious of the number of bloodhounds in the Chamber, without having to leave it. To be serious, I congratulate the Member on making the arrangements so that the Bloodhound could visit Parliament Buildings. I recommend that those who have not had the chance to at least look at it go and do so. However, as opposed to a high-speed vehicle of that nature, which is, I think, capable of travelling at 1,000 miles per hour at certain locations — not at Parliament Buildings, I hasten to add — we are about to deliver a rapid transit system for Belfast that will assist people greatly and enhance public transport.

Mr Lyttle: I welcome the introduction of improved public transport in the constituency of East Belfast. How important does the Minister think that effective bus lane enforcement will be to the success of the Belfast rapid transit system?

Mr Kennedy: I am grateful to the Member for his question. One of the key components of the Belfast rapid transit system will be using bus lanes as priority bus lanes — they should do what it says on the tin. Motorists who abuse the instructions given to them are causing difficulties and further congestion in the system in Belfast city centre. That is regrettable. As the Member knows, we are looking at a proposal to introduce enforcement fines. I hope that that will have the support not only of the Regional Development Committee and the Member but of the House generally, because I think that, whilst carrots work in some cases, sometimes, we also need a bit of stick.

Borewell Scheme

4. **Mr Lynch** asked the Minister for Regional Development for an update on the borewell scheme. *(AQO 6883/11-15)*

Mr Kennedy: The rural borewells scheme, funded by my Department and administered by the Department of Agriculture and Rural Development, was launched on 6 June 2012. The principal aim of the scheme is to provide a quality water supply for existing properties that have never been served by a public water main. The first year of the scheme, launched in 2012, assisted 24 properties to obtain a quality water supply for the first time. The 2013-14 scheme assisted 38 properties. The 2014-15 scheme is scheduled to assist approximately 28 properties. I anticipate that a total of 90 householders will have received a new borewell and/or treatment by the end of the third year of the scheme and have the assurance of a quality, safe-to-drink water supply for the first time.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer.

The scheme was welcomed at the time, Minister, particularly in rural areas where people lived far from the mains water system. I welcome the numbers that you outlined today. Will you give me a breakdown by county of the number of households that have availed themselves of the scheme?

Mr Kennedy: I am grateful to the Member for his question and for his support for the scheme. As I said, it is expected that 90 householders will have received a new borewell and/or treatment by the end of the third year. An initial assessment exercise carried out by my Department at the beginning of the project identified three areas that had large numbers of unserved properties: the glens of Antrim, the Sperrins and south Armagh. That initial assessment has largely been confirmed by the applications received by the DARD officials who operate the scheme. By the end of the third year, the geographical spread across Northern Ireland will be as follows: 36 borewells in Antrim; five in Armagh; eight in Down; six in Fermanagh; 15 in Londonderry; and 20 in Tyrone. Anyone with any mathematical prowess will know that adding those up makes 90.

Mr Byrne: I thank the Minister for his help in trying to address this issue. Does he have any idea how many households in Northern Ireland are still without a public water supply? Does he accept that technology should be developed that could enable mains water to be pumped even to highland areas in some way?

Mr Kennedy: The Member raises an interesting point. The cost involved in providing a mains water supply is always a challenge. The benefit of this scheme is that it assisted householders to get a cleaner and better supply than they had hitherto been in receipt of. Whilst I listened carefully

to what the Member said, I think that there are excessive costs in many of the particularly rural locations. That has to be borne in mind. That has been one of the benefits of the borewell scheme. I hope that the Member will accept that.

Street Lights

5. **Mr McCarthy** asked the Minister for Regional Development for his assessment of the public safety implications of not repairing or replacing faulty street lights. *(AQO 6884/11-15)*

Mr Kennedy: As the Member will know, my Department is facing significant resource budget constraints, and I am not in a position to spend money that I do not have. Consequently, I have had to take a number of difficult decisions, including the suspension of works orders to external contractors who were responsible for the repair of approximately three quarters of the street lights that go out.

I readily acknowledge that, since street lighting is provided as a road safety measure, these cuts have the potential to lead to safety issues for road users during the hours of darkness. I assure you that, to deal with the health and safety implications, I have set priorities for dealing with street lighting faults. Priority will be given to those faults that present an electrical hazard to members of the public, and contractors will still be employed to deal with those faults.

My Department's operations and maintenance staff, who can provide around 25% of the overall resource that is required to fix street lighting faults, will endeavour to repair as many lights as possible, prioritising large groups of lights which are out and then individual lights that have failed.

Regrettably, the impact of the cuts means that, in all likelihood, a large number of street lights will be out over the winter months. I can tell the Member and indeed the House that currently some 11,261 lights are out right across Northern Ireland. This is not the service that I would like to provide, but is the inevitable consequence of the budgetary pressures that my Department is facing.

Mr McCarthy: I thank the Minister for his answer, although I am far from being satisfied. At a recent meeting of the Committee for Regional Development, the Minister and his Department informed the Committee that where the Department provides street lighting, it has a duty to maintain it. The Minister has gone on to say that he has cancelled the contractors who maintain those lights. How can he quickly rectify the situation and gain some credibility, bearing in mind the dangers that certainly senior citizens and old people will have in darkened streets and roads?

Mr Kennedy: I am grateful the Member for his supplementary question. I am not sure about gaining credibility for me; I think that what would be more important would be to gain more money for my Department. That would be a big start, actually.

The Member has raised the legal aspect of it. The Department has received legal advice on this issue. It will continue to inspect roads and footways as per the normal inspection regime. All defects will be recorded as normal. However, due to the financial constraints, defects may not be repaired as quickly as normal, and all repairs will be prioritised on the basis of safety. My Department will continue to robustly investigate and defend public liability claims, with every case turning on its own facts. However, ultimately, it will be up to the courts to decide if the reduced standards comply with my Department's statutory duty. In short, I have to say to Mr McCarthy that if we had more money, we could deal with the situation.

Mr G Robinson: I realise and appreciate the financial constraints that the Minister is under. Can any special provision be made where pensioners' bungalows are unlit, particularly now coming into the winter months?

Mr Kennedy: I am grateful to the Member for his sympathy for the financial position that I find myself in. I have outlined how we have been forced to prioritise things as a consequence of these cuts. It is not a scenario that I enjoy, relish or want to see. I would like to see it properly resourced. I can understand the impact on elderly, rural or more vulnerable people who live in areas where a street light provides an essential form of comfort, if you like, particularly on dark winter evenings.

2.30 pm

I repeat, again, that it is not that we are ignoring, or will ignore, lights that are out but they will simply have to be prioritised in a way that is consistent with what I have outlined.

Mr Principal Deputy Speaker: That ends the period for listed questions. We move to topical questions. Ms Maeve McLaughlin is not in her place; I call Mr Ian McCrea.

Magherafelt Bypass: Update

T2. **Mr I McCrea** asked the Minister for Regional Development for an update on the Magherafelt bypass. *(AQT 1642/11-15)*

Mr Kennedy: I am not sure whether that is a topical question or a typical question from the Member. *[Laughter.]* Significant advance works are under way as part of the delivery of the £40 million Magherafelt bypass. Surveys have been completed to identify potential archaeological sites. Temporary fencing has been erected and trial pit excavations have been completed to help inform the detailed design under this design-and-build contract. It is anticipated that advance archaeological investigative trenching and vegetation clearance will start in November, for completion prior to the award of the main contract. The procurement of the main contract is well under way and the tender return date is 24 November 2014. Subject to there being no challenges to the award of the contract, construction work should commence early next year.

Mr I McCrea: I thank the Minister for his answer to my typical topical question. I do not apologise for raising the issue, as he and the colleague sitting beside him know that it is an important issue for the local constituency. I am glad that the Minister has confirmed that things are moving progressively. Will he ensure that the work that is done with consultants and Roads Service officials, in respect of dealing with the local farming community, is kept up to date so that the community knows exactly what is happening and that any impact on their property is reduced? That would certainly be helpful to them.

Mr Kennedy: I am grateful to the Member for his supplementary topical typical question, and I thank him for it. The scheme will bring huge benefit to the Magherafelt area and indeed that area generally. I think that the success of any scheme depends upon the cooperation

extended and information given to local landowners, not only by the contractor but by the Department, in the early stages of the work. We have sought to do that and will continue to do so, and I hope very much that we can make progress and, indeed, enjoy the full cooperation of landowners and people in that area because, of course, there will be issues and challenges and there will undoubtedly be inconvenience to them. However, I think that, having waited 40 years for the scheme — as Mrs Overend continues to remind me — it is important to them that we move it forward as quickly as possible.

Gully Emptying

T3. **Mr Lunn** asked the Minister for Regional Development, at this time of year, with autumn winds, leaves falling down and floods, seemingly always in the same places, what priority he is giving to gully emptying, albeit with the financial constraints he is operating under. *(AQT 1643/11-15)*

Mr Kennedy: I am grateful to the Member for his question. Indeed, the emptying of gullies is a very important issue. The Department seeks to maintain something like 550,000 gullies, and that is a considerable challenge. It becomes an even greater challenge when there is not enough in my resource budget to pay external contractors to do the work that they do. The main work of gully emptying is carried out by Transport NI staff. That represents about three quarters, or 75%, of the total work, so there is potential for the other 25% to be a challenge. I have outlined to the House before how we seek to try to deal with it. Certainly, we give priority to wet spots, where there are issues of recurring flooding or where it has taken place in the past, in addition to other factors.

Mr Lunn: I thank the Minister for his answer. Five hundred and fifty thousand is a fairly frightening total, but I guess that 500,000 of them do not actually cause too much of a problem. The problem is with what you call “wet spots”, and which I call hotspots. Severe damage can be caused by the simple failure to unblock a gully. I am sure that the Minister has been in houses that have flooded. A bad flood does more damage than a fire, in some cases, and takes much longer to sort out. I know that it is difficult, but is there any discretion in his budget to reallocate money from major projects that may be held up to the more simple but very useful operations that I am talking about?

Mr Kennedy: I am grateful to the Member for raising the issue. There are 550,000 gullies to be cleaned and emptied across Northern Ireland. I am not sure that the number that perhaps do not need careful or immediate attention is the number that he suggested. I sympathise with residents affected by flooding. Many homes experienced flooding late last week as a consequence of a high volume of rain; 40% of the average October rainfall fell in areas of Belfast over a period of seven hours last Thursday night. Simply, that volume is always in danger of overcoming any system. We continue to maintain to the best of our abilities. We are in the autumn season; we are coming in to the heavier winter season, with the falling of leaves. On a day like today, with strong winds, I have no doubt that even work done in advance to clean gullies over the last few days may well be nugatory, given the conditions that we have. That is the challenge that we have to deal with. We attempt to do so as efficiently as we can, but it is not helped when there are challenges to the budget. We will continue to bid for resources to deal with that. His suggestion of transferring resource to capital does not work and is not allowed under the rules.

Mr Principal Deputy Speaker: I remind the Minister of the two-minute rule.

Car Parks: Security Measures

T4. **Mrs McKevitt** asked the Minister for Regional Development to advise what security measures are in operation at car parks attached to train stations, bus stations and park-and-ride facilities, given that he will be aware of the recent car thefts in the Newry area, some of which were cars parked at Newry railway station. *(AQT 1644/11-15)*

Mr Kennedy: I am grateful to the Member for her question. I join her in condemning those who engage in such activities. One hopes that individuals can be identified, that the PSNI can take appropriate action to put them before the courts, and that the courts can deal with them sufficiently.

There are issues of security. Of course, CCTV is deployed in many of our stations. I will look at the situation in relation to Newry station, which is sometimes more commonly known as Bessbrook station.

I undertake to look at that for the Member to see whether any additional measures can be put in place.

Mrs McKevitt: I welcome the Minister’s response. Let us hope that some of the CCTV cameras have an infrared mode so that, when the lights go out, people are able to see the crime scene.

Will the Minister consider further security measures to ensure that users of public transport feel safe to leave their vehicles and know that they will be protected?

Mr Kennedy: I am grateful to the Member for her question. Of course, we will look at that as part of the issue. I am loath to highlight the problem to a scale that it discourages people and makes them feel that they will not be safe. There is no clear evidence to indicate that that is the case at any of our locations, and we want to build on the record levels for the use of public transport that we are enjoying. Security is important and being safe is very important, and those are key priorities, not only for me but for Translink.

Public Transport: Growth

T5. **Mr Nesbitt** asked the Minister for Regional Development, given the financial pressures he is under, what measures are available to him to ensure continued growth in public transport, particularly to ease the pressure on the roads system at peak times. *(AQT 1645/11-15)*

Mr Kennedy: I thank the Member for his question. I remain very positive about the progress that public transport has made over the last three-plus years.

On the bus side, numbers continue to be strong, with Metro showing the sort of steady progress that reflects its growing reliability and popularity. Rail, however, has been the star performer. Rail travel last year passed through the 13 million passenger journey barrier, taking it to levels not seen since the 1960s. I compare that to when we took over DRD, when 10 million passenger journeys were being made. Despite that programme, we have not reached a

ceiling in rail. Further significant progress has been made on rail this year at the midpoint, and I expect that we may get close to 14 million journeys by the end of this financial year. If we reach that new high, I will no longer be saying, "record levels since the 1960s"; I will be taking pride in saying, "record levels since the 1950s". That is a change that I look forward to.

Mr Nesbitt: I thank the Minister for his answer and congratulate him on those record performances for public transport. Focusing on the road network, what measures are available to him within very constrained budgets to continue the growth of public transport and ease the pressures on our roads?

Mr Kennedy: I thank the Member for his warm congratulations. Despite the well-documented challenges facing my Department, I am determined to continue the progress that we have made in growing public transport in Northern Ireland.

The park-and-ride scheme is working well, and we will continue to increase the number of park-and-ride facilities, with seven new locations to come online in the next 18 months or so. You heard earlier where those will be.

I am pleased that we will be introducing some additional weekend rail services before the end of the year. That will give existing passengers greater choice and will act as an incentive to potential new passengers. We will work hard to keep any future fare increases at the level of inflation, and I will continue to press the Finance Minister on TaxSmart for rail travel, which is a measure that has the capacity to make public transport much cheaper.

Next month, we begin the £12 million refurbishment of the Enterprise service, which will greatly improve passenger service. Also, the introduction of audiovisual services on Metro buses will be positive for tourists as well as those who are blind and partially sighted.

Of course, I am pleased that Belfast rapid transit is being progressed and is still on target to be operational by 2017.

Mr Principal Deputy Speaker: I call Peter Weir for a quick question; no supplementary.

Car Parks: Development

T6. **Mr Weir** asked the Minister for Regional Development to outline the locations and value of the strategic off-street car parks that he mentioned earlier as having been identified for local or regional development. *(AQT 1646/11-15)*

2.45 pm

Mr Kennedy: I am grateful to the Member for his question. Indeed, I am pleased that the Second Stage of the Bill transferring powers to local government for off-street parking was successfully moved earlier.

I was not sure whether the Member wanted a list for his constituency or more generally. His sign language is working very well. I thought that it was a film, but it is not. *[Laughter.]*

[Interruption.] And the same to you — oh, no, it wasn't that.

We will provide that information as quickly and as completely as possible.

Mr Principal Deputy Speaker: My sign tells me that the time is up. Thank you very much, Minister.

Social Development

Girdwood: Update

1. **Mr A Maginness** asked the Minister for Social Development for an update on the application for development of the Girdwood site. *(AQO 6894/11-15)*

Mr Storey (The Minister for Social Development): The development of Girdwood Park is well under way, with delivery of the entire plan a priority for not just my Department but right across central and local government. The infrastructure works for which my Department is responsible commenced recently, with completion due in autumn 2015. The outdoor sports pitch is expected to be delivered as part of that phase.

Construction is well under way on the Belfast City Council-led community hub, which is due to open in June 2015. Apex Housing has commenced construction of 60 housing units, which are due for completion in early 2016.

Looking at the remaining elements of the development, my Department is taking forward important preparatory work in the form of an economic appraisal to help to finalise plans for the indoor sports and mixed-use facilities, and that should be completed by March 2015. Development of the housing element along Clifton Park Avenue remains a priority and is likely to be the final phase of development.

Mr A Maginness: I take this opportunity to congratulate the Minister on his appointment, but —

Mr Storey: But? *[Laughter.]*

Mr A Maginness: — but could I also thank him for his detailed response. However, there is, as the Minister will know, a pressing housing need in north Belfast. Sixty units have been put forward by Apex Housing, but there is clearly a need for further housing. Will the Minister review the allocation of numbers of houses in that area?

Mr Storey: I thank the Member for his congratulations. Being in the post for a number of weeks now, I well know the challenges that are confronting me.

The Girdwood project is buying in key component parts to deliver a worthwhile project. I intend to visit the facility in the not-too-distant future to see it at first hand.

Mr Maginness referred to housing need. The demand for housing across north Belfast is always the issue. Since coming to post, I have become well aware of the challenges and sensitivities around housing. I will be conscious of those sensitivities and concerns. I trust that the one thing that the Member, and other Members, will find is that I will listen to those concerns and, more importantly, hear them.

Demand for housing across north Belfast remains high, with 1,438 applicants in housing stress at March 2014. The projected need for 2014-19 is 1,236 units. To help to address the need in that locality through the housing programme, 76 units are planned in 2014-15, 86 in 2015-16 and 121 in 2016-17.

However, I have to say that, as the Member will be aware, a review of housing policy is under way. I will take a particular look at that over the next weeks and months, because I have a concern about the way in which the Housing Executive categorises homelessness and the waiting list and the way in which it presents housing need. I am more than happy to meet the Member and other Members to have that discussion.

Mr Principal Deputy Speaker: This is my first opportunity to warn the Minister about the two-minute rule. *[Laughter.]*

Ms P Bradley: I am sure that the Minister is aware of the sensitivities about the site. What steps has he taken to ensure community engagement?

Mr Storey: Principal Deputy Speaker, that is not the first time that somebody has tried to call time on me. I appreciate your reminder.

I am very conscious of the concerns and sensitivities. It follows on from the comments that I made to Mr Maginness. Community engagement continues, first and foremost through the Girdwood community forum, which has a cross-community membership and provides a useful platform to address a range of issues. There have been community-based events to help to raise awareness, improve relationships and contribute to ideas. In response to some of the issues raised, I recently approved the issue of a community newsletter to some 18,000 homes in the area to provide clarity and certainty on government's commitment to the delivery of the entire plan. As the Member will know, if there are any particular concerns, she can relay them to me, and I will be only too happy to give them serious consideration.

Social Housing: 50:50 Policy

2. **Ms Ruane** asked the Minister for Social Development whether he will review the 50:50 allocation policy for social housing in Belfast city centre to ensure any future policy decisions will be based on addressing objective need. *(AQO 6895/11-15)*

Mr Storey: The Northern Ireland Housing Executive and registered housing associations allocate properties through the housing selection scheme. Applicant households are awarded points on the basis of their objective housing need. Properties are generally allocated to the person with the highest points. That is the case throughout Northern Ireland and will continue to be the case in Belfast city centre.

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Comhgairdeas leis an Aire as a phost nua. I join my colleague Alban Maginness in congratulating the Minister on his new post. I very much look forward to working with him.

I welcome the fact that the Minister has clarified that points are given on the basis of need. It is good to have that on record. Is he aware that large parts of Belfast city centre are now in dereliction? Will he let me know what his plans are to work proactively with local communities so that there is social housing to address the current waiting list?

Mr Storey: I thank the Member for her words. Obviously, the previous Minister and I have had exchanges in the past, and I have no doubt that that will continue in the future. We need to remember a key element about the city centre, which is that we want to ensure that it is a shared space not only for recreational activity and economic prosperity but for housing. The original question referred to a 50:50 allocation policy: there is no such policy. The Member will be aware that Participation and the Practice of Rights (PPR) recently raised concerns on that issue. However, I assure the Member that the way in which we deliver housing will continue to be on the basis of need. I also remind the Member and the House that research was carried out by the University of Cambridge and the University of Ulster on a fundamental review of social housing allocation policy. That remains an area that I am considering as part of the follow-on from the report. Issues relating to the city centre and the way in which we deliver housing across Northern Ireland will be looked at on the basis of the information that we find in the report and consultation with Members.

Mr Hilditch: Minister, how is shared housing allocated?

Mr Storey: That is a valid question, and it was asked the first time that I was before the Assembly as Minister. In many respects, it goes to the heart of the way in which my Department, in conjunction with the Housing Executive, addresses the issue of housing in Northern Ireland. All social housing in Northern Ireland is allocated on the basis of need, and that ensures that the allocation of housing is compliant with Northern Ireland's equality legislation. We cannot socially engineer mixed social housing, and I would be the first to say that we should not do that in any circumstances. That is why I have tasked the Housing Executive to work with housing associations and local communities to support and encourage them to see the benefits of shared housing.

Achieving shared housing is not about forcing anything on anyone. We need to allow people to share housing because they want to, not because government says that they must. I want to see how we can provide choice for people to come together in a more natural way and not through some socially engineered plan that simply would not work. I also want to see how we can develop more social and affordable housing alongside each other so that people can have greater choice and flexibility about where they live and who they live beside.

Mr McKinney: I, too, join in congratulating the Minister, though the honeymoon must be coming to an end soon.

Mr Storey: It is over.

Mr McKinney: It is over. What is the Minister's assessment of the success or otherwise of shared housing schemes in Northern Ireland?

Mr Storey: It is all in how we measure and what we measure as success. Over the last few weeks, I have — I thank the Member for his words of congratulation — seen examples, and I plan to visit more examples of how there has been an attempt to deliver shared housing and shared provision. We still have a considerable way to go. It is all very fine setting targets and having it set out in policy papers, but I still think that there is an issue — I refer to the comments that I made in response to Mr Hilditch — of us being seen as a Government in Northern Ireland forcing a particular structure on people. We have to encourage the shared provision. Progress has been made, but not at the pace that I would like to see in terms of moving forward on the issue.

Mr McGimpsey: I, too, congratulate the Minister. In view of the disastrous situation in the Holylands, where we have seen student housing, in effect, driving out hundreds of families from a residential area, can he assure us that the Housing Executive land currently earmarked for social housing in other communities in inner south Belfast such as Sandy Row, Donegall Pass and the Village will not be permitted to go to student housing but will be retained by the Housing Executive for much-needed social housing?

Mr Storey: I thank the Member for his congratulations and share his concerns. I am well aware from correspondence that I received recently, particularly in relation to the development of the Northside project, how people have concerns around the increase in student accommodation. It is not a panacea and is not the answer to all our ills, but landlord registration is a way in which we can begin to create a sense of control over what is already there. I take the Member's point, particularly around how we ensure that land is designated and the discussions with the Housing Executive and other interested groups are held in a way that reflects the need but also reflects the community and the area in which that perceived need will be met.

EU Funding: Drawdown

3. **Mr Lynch** asked the Minister for Social Development whether his Department has met its target, as part of the Programme for Government commitments, to draw down an additional 20% of EU funding within this current mandate. *(AQO 6896/11-15)*

Mr Storey: The Programme for Government target is a Northern Ireland Executive target to facilitate the increased drawdown of competitive European funds by the end of March 2015, though all Departments will work collaboratively in relation to that. It is one of a number of Executive European priorities. Others include enhancing the profile of Northern Ireland in Europe, developing and maintaining a network of EU organisations and networks and influencing the development of EU policy.

My Department does not yet have a specific drawdown target because, having taken stock of its position and experience relative to competitive funds, it was not considered appropriate to put forward a target that had no sensible basis.

3.00 pm

Over recent years, my Department's focus has been on facilitating the maximum drawdown for Northern Ireland through fulfilling the role of an accountable Department for the Peace III creating shared public spaces theme. By the end of the programme in December 2015, we will have helped to deliver 18 capital projects to the value of €101 million.

Participation in EU competitive funding programmes cannot easily happen in a short time frame. The Department has had no obvious involvement in European competitive funds or networks; therefore, we have focused on building capacity. We have also raised awareness of funding opportunities with our partners in the voluntary and community sector. We are entering a new round of EU programmes and will examine those very closely for opportunities.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Does he accept that additional funding can be drawn down from European funds to assist with tackling disadvantage?

Mr Storey: This is an area that I have a particular interest in, given my past interest in European issues. At times, there has, rightly, been criticism of the way in which we focused and delivered European money in Northern Ireland. However, look at the capital projects under the Peace III creating shared spaces programme. In fact, some are in the Member's constituency, including the collaboration between Fermanagh District Council and Monaghan County Council on the Peace Link project at Clones and the Termon project in Tullyhommon and Pettigo. Many of those projects have contributed immensely and will continue to contribute. The Orange interpretative and education resource centres are also being funded through that process. Last Friday, I was in Londonderry at the launch of the commencement of building work on the Heroes of the Great Siege Shared History and Visitors Centre. That is another example of how that money can be used.

I take the Member's point and agree that we can do more. I have had discussions with my officials. You will be aware that the programme is being considered by the Commission. One of the pillars under which the programme will be delivered is young people and education, and I believe that there is more that we can do to ensure that we maximise the money that we receive from these funds. However, it is not only about maximising it; we must ensure that we focus and deliver it in a way that gives tangible benefit to the young people and communities in Northern Ireland.

Mr Gardiner: Previous targets have been set for domestic energy efficiency to secure match funding from Europe. Will the Minister provide an update on those projects?

Mr Storey: On the specific issue of targets, we have analysed funding calls regularly and disseminated that information through partner search to third party organisations. I do not have the information about the specific element that the Member referred to, but I assure him that I will write to him and provide an update.

Mr Douglas: I thank the Minister for his answers so far, particularly in relation to European funding. Will he outline the opportunities that he thinks exist in the next round of Peace IV funding?

Mr Storey: That follows on from the comments that I made to Mr Lynch. The main objective of the draft Peace IV programme is to promote social and economic stability in eligible regions, particularly through actions that will support good relations between communities. If ever we needed to ensure that that is the case in Northern Ireland, that is something that we need to continue to work at and strive towards.

The work that my Department leads on, regeneration and community development, can be greatly enhanced by the additional resources of somewhere in the region of €269 million that the programme brings. I will be seeking to maximise the benefits of the programme for communities that my Department works most closely with, given the relationship that my Department has with the community and voluntary sector. My Department will also play a key

role in the implementation and the continuation of shared spaces, and I made reference to that already when I mentioned the capital projects. The theme there to build on many of the projects has been delivered in the current project.

In addition, other themes can contribute to our work to address poverty and to promote inclusion. As I said, my Department will work with communities to bring forward imaginative and effective proposals under the children and young people theme, so that they can avail themselves of the opportunities for improved access to education, employment and training.

I think that this is an example of how we could do joined-up government in a very focused way. Yes, as for the opportunities, the pot of money that we have, in real terms, is not what it was from the various Peace programmes in previous years. However, all Members around the House will be able to identify, in their own local community, projects that have been put in place as a result of the focus that there has been on European funding. I am having those conversations with my officials, and I look forward to being able to bring more positive news in the not-too-distant future.

Mr D Bradley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin agus seo í mo cheist. In the event of the successful drawdown of additional funding, can the Minister ensure that match funding will be available, where appropriate?

Mr Storey: I am glad to tell the Member that I am not the Finance Minister. Obviously, the Member will be well aware that the issue of ensuring that, when you have an allocation, you get match funding can become pretty challenging in the current economic circumstances and with the Budget pressures that we will face over the next few years. However, I will do all that I can in the responsibilities that I have in my Department to ensure, as I think we have demonstrated in the past, that there is a very healthy injection of finance from the Department in relation to some of the projects that I have mentioned in the House today.

Welfare Reform: Mitigation Proposals

4. **Mr McCarthy** asked the Minister for Social Development what proposals he has developed to ensure that Northern Ireland is able to mitigate the impact of welfare reform. *(AQO 6897/11-15)*

Mr Storey: This is where two minutes is totally and absolutely inadequate, however we will endeavour to give the Member as full a response as we possibly can. I thank the Member for the question, which is very timely. Hopefully, we will develop that as we proceed.

A package of measures has been developed to take account of the views of the Executive subcommittee on welfare reform, the Social Development Committee and a wide range of other stakeholders, with the key objective of continuing to protect the most vulnerable. Members are already aware that the following payment flexibilities have been secured for payment of universal credit in Northern Ireland: all claimants will receive twice-monthly payments; a range of options will be available to split the single household payment; and the housing element of universal credit will be paid directly to landlords, ensuring that people remain safe in their tenancies and that social housing provision has a firm financial basis.

The Member will also be aware that, yesterday, I had the opportunity to meet Church leaders, and I thought that that was a useful and very valuable opportunity for me not only to have a discussion with them but, more importantly, for me to listen to the concerns that they brought. In my response to the Church leaders, I have set out in a letter, which is now on my Department's website and in the public domain, the elements in the package that had been agreed: the split universal credit payments; the direct payment of universal credit to landlords; social sector size criteria, which is commonly called the bedroom tax; the issue of sanctions; joint claims; medical evidence for personal independence payments; lone parent flexibility; the discretionary support scheme, and so we could go on.

The Member will have all of that information available to him, as will all Members. I believe that that is valuable and that it will help us to inform the current debate.

Mr McCarthy: I thank the Minister for a very detailed response. Like others, I welcome the new Minister to the Dispatch Box this afternoon, as I welcomed him to the best constituency in Northern Ireland, last week, when he was on a visit to Newtownards and Ballynahinch. Further to his answer, what efforts is the Minister making to engage with the business community about the importance of an agreed way forward on this very important subject? You informed the Assembly that you engaged with the religious community yesterday.

Mr Storey: The Member makes a valid point in relation to the business community. We all have a vested interest in having a resolution to this issue. No one needs think that, somehow, they can get out of the responsibility that they have, collectively, to bring about a solution.

I thank the Member for his words of welcome. I was glad to be in his constituency, and I look forward to visiting the constituency in the future. The issue of welfare reform has become vitally important, because I believe that, over the last number of weeks and months, we have lost sight of an informed discussion. There has been a lot of rancour, and a huge amount of concern. I will in no way underestimate or try to minimise the genuine concerns that many have about the changes to welfare.

I made this point to the Church leaders yesterday: I do not want people thinking that, somehow, I just have to say a few words that will satisfy everybody that I have ticked a box and that those words will not bear any resemblance to what can be done. I believe that good work has been done. I believe that the subcommittee, the Committee for Social Development and the Northern Ireland Council for Voluntary Action (NICVA) have done good work. That is why I went to speak to the Church leaders, and I plan to speak at the NICVA conference next week. I will take the point that the Member has made in relation to engagement with the business community, and I will follow that through with those who have a voice from that very important sector.

Mr G Robinson: Will the Minister outline what impact the non-application of welfare reform will have on necessary repairs to the Housing Executive stock?

Mr Storey: I think the Member wanted to ask me about the package of measures and the concern that we have around significant changes to the welfare system in Northern Ireland. Do we believe that those measures will ensure that we will continue to keep the focus on those people in our community who have concerns and problems?

I know that issues have been raised with me about people who have a disability, people who have problems in relation to disability living allowance (DLA) and people who have problems regarding other elements of welfare reform. I can assure the House, not just the Member, that I am listening and genuinely interested in ensuring that we do not use the poor and those who have challenges and issues as some political pawn, as was said yesterday.

Equally, I want the House to grasp a point. Many families in Northern Ireland are trapped in the benefits system and, currently, that system does not allow them the flexibility to exit the process. I believe that the removal of the 16 hours a week is an example of how people can be given an exit from dependency on a benefit and huge opportunities to get into work, become more socially mobile and make, and continue to make, an invaluable contribution, first and foremost, to their families and, secondly, to the wider community.

Mr Principal Deputy Speaker: Roy Beggs, very quickly.

Mr Beggs: Thank you, Mr Principal Deputy Speaker. The Minister mentioned mitigation. Can he detail the cost of mitigation that he foresees in the first year? How will that be funded, given the current financial difficulties that exist in the Executive?

Mr Storey: It does not matter what you propose to do, if you put in place the cost of mitigation, there will be a cost. If you look at the proposals that my party has put forward in a paper to the Secretary of State, you will see that there is a cost identified in a transitional fund around the £30 million mark. There is obviously a cost that had previously been associated with the implementation of the Northern Ireland plus. You could be talking in the region of an additional £40 million or £50 million. There is no doubt that that creates a challenge.

The Member is right. In the current economic climate, we face a challenge to find additional money, or, at least, to take money from our current resources to implement this piece of legislation. I think, however, that that is money well spent. Let us remember, and the First Minister made the point yesterday from this Dispatch Box, and I think that I need to reiterate the concern that he expressed in this House: collective failure on our part to resolve this issue can ultimately lead to the doors being closed in this institution. I know that Members will say, “Here we go again threatening”, but in any of the conversations that I have had in Northern Ireland or in the rest of the United Kingdom, there is a clear expectation that failure to resolve this issue will have serious consequences. The financial cost to Northern Ireland of the imposition of non-amended welfare reform is incalculable, as well as the impact that it would have in all the communities that we represent in this House.

Mr Principal Deputy Speaker: That ends the period for listed questions. I know that you are really looking forward to topical questions.

3.15 pm

Belfast City Centre Regeneration

T1. **Mr McAleer** asked the Minister for Social Development for an update on the development and regeneration of Lower North Street, Garfield Street and Royal Avenue in Belfast. *(AQT 1651/11-15)*

Mr Storey: I think that all those issues have been given priority. In relation to the transfer of those powers, there will be elements that will transfer to local councils, and many have had concerns in relation to that issue. I will give the Member a written response on that because I do not have the detail, but I hope that we will be able to get more detail to the Member later.

Mr McAleer: Go raibh maith agat. The Minister will be aware that the delay in the development is having wider negative implications for development in other parts of Belfast city centre. Can he give the House an assurance that he is proactively trying to deal with the matter?

Mr Storey: Yes, I can. As the Member can appreciate, a variety of issues has come across my desk in the past three weeks since I came into office, which, I believe, need to be given serious consideration as to the way in which my Department has interacted with other agencies and providers. There is a tendency to believe that, somehow, it can be delivered solely by one Department. I have found more and more, and I am sure that the Member will not be in any way surprised to hear, that a challenge for me on this issue and on other issues relating to housing, regeneration or development is ensuring that those partners have the same focus, the same intention and the same outcome that I have.

Welfare Reform: Northern Ireland Impact

T2. **Mrs Hale** asked the Minister for Social Development, in light of current and not so current misinformation about the impact of the most recently introduced elements of welfare reform in Northern Ireland, what steps he is taking to fully understand the impact of welfare reform on Northern Ireland. *(AQT 1652/11-15)*

Mr Storey: This goes back to the point that I made about whether you call it misinformation or a lack of understanding of the import of all this. I am well aware that, for me to get a grasp of the complexities, it is vital that I listen to all the voices out there. There is a need for genuine debate about the impact of welfare reform and how it will be implemented in Northern Ireland. Since coming to office, I have met a range of groups and individuals who have an interest in welfare reform. As I said earlier, I met the Church leaders yesterday. That was an important event for me for the simple reason that they are key in the way in which they communicate information to their constituents, their congregations and their people. As I said, I also intend to go to the NICVA conference. Mr McCarthy asked a question about the business community, and I am going to the conference to ensure that we have an informed debate around the issue. I do not believe that we can just have sound bites in the media and exchanges that may all sound like very good entertainment. All Members of the House need to address the needs of the communities we represent. When I am in my constituency, I am asked about specific issues relating

to welfare reform. I want to address the impact that it will have on those individual communities and families.

Mrs Hale: I thank the Minister for his comprehensive answer. He answered part of my supplementary question, which was this: what is he doing to understand the impact of welfare reform that can better inform the public debate?

Mr Storey: I had extensive discussions yesterday with the Church leaders on what more we could do in communication. We will continue that conversation about how we can improve our communication with them and the wider community.

My Department has published a series of information bulletins that analyse the impact of various elements of welfare reform on the population of Northern Ireland, and they are available on the website. I know that people get a bit sceptical when Ministers stand up and talk about everything that is on the website. However, if you visit the website and see the huge amount of information there, it would give you an understanding of at least the complexities of the issue. An analysis was completed during 2014, and I have asked my officials to update that bulletin. My officials will also continue to engage with the voluntary and community sector and claimant representative groups to ensure that they are informed.

We are also doing research on food banks to better understand who is using them and their reason for doing so. That has become an issue. Something that is not an anomaly but is certainly something that needs to be understood is the fact that, since we have seen an increase in food banks, we have seen a 20% reduction in crisis loans. I want to try to grasp some understanding of why that is the case. It is challenging when, in all our communities, we see people who have had to have access to food banks. We ask the reason why. It is too simplistic to say that it is the impact of elements of welfare reform or the way in which welfare reform would be implemented. However, I want to return to that issue.

Mr Principal Deputy Speaker: Two minutes, Minister.

Mr Storey: Thank you, Principal Deputy Speaker.

Housing Association Grant Rates

T3. **Ms P Bradley** asked the Minister for Social Development whether he intends to increase housing association grant rates. *(AQT 1653/11-15)*

Mr Storey: I could very simply say "Yes" and sit down, but I will not do that. In recent months, the Northern Ireland Federation of Housing Associations has made representation about raising the costs and risks posed to delivery. My officials have been chairing discussions with the organisation to explore options, including housing associations raising rent to cover the additional cost. I have listened to the Northern Ireland Federation of Housing Associations' concerns on cost increases, and my officials wrote to the association on 15 October this year confirming my decision on the new total cost indicators and the housing association grant rates. The average grant will now move from 46% to almost 52%.

Ms P Bradley: Hopefully he will answer this question just as fast. Can the Minister say what that will mean for housing associations and, of course, the construction of new social housing?

Mr Storey: Obviously, the increase in grant provided to the association gives the financial flexibility that it requires. It requires particular flexibility to achieve what, I think, is a challenging target of 2,000 new social homes this year and a similar number next year. Fixing grant rate up until the end of 2016 provides everyone involved with much-needed certainty for the foreseeable future. However, I say to the Member and the House that this is another area where we need to have a serious look at the way in which it is all delivered. I appreciate the work that the housing associations do. I think that there are other schemes and ways in which we could be inventive in generating the delivery of social housing.

I have a personal issue that I will have to get my head around, and that is the phrase — albeit that it is in the legislation — "using social housing" and the way in which we have a debate and discussion around housing. What do we really mean? There are definitions and ways in which people approach the issue. I will have conversations with officials tomorrow about how we move forward in a proactive way on the delivery of affordable, social, well-built houses, which, to the community that we represent, means something of worth and value.

Boiler Replacement Scheme

T4. **Mr Hilditch** asked the Minister for Social Development for up-to-date figures on the number of people in Northern Ireland who have benefited from the boiler replacement scheme. *(AQT 1654/11-15)*

Mr Storey: This is a good news story. I suppose that every Minister has elements of good news that they want to get out there. The difficulty is that, so many times, it is covered up by other things and does not make the headlines. Across Northern Ireland, over 15,800 homeowners have benefited. The scheme offers owner-occupiers a grant of up to £1,000 to replace inefficient boilers, is available to those who earn less than £40,000 a year and have an inefficient boiler of at least 15 years and is dependent on total gross income. Replacing an old, inefficient boiler with a new condensing boiler can, in an average three-bedroom, semi-detached house, see savings of up to £300 to £350 a year.

Mr Hilditch: I thank the Minister for that information. How much money has been allocated to the boiler scheme since it was started?

Mr Storey: Since the scheme commenced on 3 September 2012, a total of £12 million has been allocated to it by the Department, and that has been spent at a rate of £4 million a year for the three years up to 2014-15. An extra £6 million was obtained from European regional development funding, spread across the 2013-14 and 2014-15 financial years.

Omagh Town Centre Master Plan

T5. **Mr McElduff** asked the Minister for Social Development to personally investigate, albeit that he is not long in office, why his Department is declining, at this time, to offer support to Omagh District Council to assist with the review of the Omagh town centre master plan. *(AQT 1655/11-15)*

Mr Storey: Yes, I will indeed undertake that, but the Member also needs to ask why we have had a delay to

date in the response to me and my Department on the issue of the regeneration proposals to local government, which are still being delayed. I have been waiting now for two weeks — in fact, since I came into office.

I need a response. If I do not have that response by Thursday, the powers will remain in my Department. I have no doubt that you and other Members across the Chamber will come to me with concerns about the fact that the regeneration, whether it is neighbourhood renewal, master plans or whatever, is not being delivered in a way that is in keeping with what the Member wants. However, I will come back to the Member and give him a specific answer in relation to Omagh.

3.30 pm

Mr McElduff: I will just say to the Minister that there are particular circumstances in Omagh, with the relocation of several schools to the Lisanelly education campus, which mean that several town centre sites are becoming available in a new and changing context. That is perhaps why the local authority needs DSD's support at ministerial level. I invite the Minister to reply.

Mr Storey: I am quite happy to give a commitment to give whatever help or assistance that we can. Surely the development of the master plan should have taken cognisance of the fact that there was a proposal for the Lisanelly site. I would be surprised and disappointed if that were not the case. However, I give the Member an assurance that I will pay particular interest to the issue and give him a response.

Ms Maeve McLaughlin: On a point of order, Mr Principal Deputy Speaker. I apologise for not being in my place during topical questions.

Mr Principal Deputy Speaker: Thank you very much for coming to the Chamber to apologise personally. Of course, it would have been better if you had been here to ask your question.

Executive Committee Business

Education Bill: Consideration Stage

Clause 2 (Functions of the Authority)

Debate resumed on amendment No 1, which amendment was:

In page 1, line 11, at end insert

> *"(2A) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote integrated education.".— [Mr Lunn.]*

The following amendments stood on the Marshalled List:

Nos 2 to 5 and 8.

Mrs Overend: The future education of our children is in our hands, and legislative changes are crucial. We must not neglect our responsibility to get this right.

Last week, we discussed and debated the Minister's wish for the Bill to go through by accelerated passage. As you know, the Ulster Unionists were particularly disappointed that this procedure was approved overwhelmingly by Members. It has meant that we did not have much time to prepare and submit amendments; we really had only one day. Furthermore, we had only one day — yesterday — to analyse all the proposed amendments and decide on the best way forward. My colleague Mr Danny Kinahan, the Deputy Chair of the Education Committee, outlined our position on amendment Nos 1, 2, 3 and 5.

On the issue of the promotion of integrated education — with a capital "I" — versus shared education, there are differing views on what is shared education. As was discussed today, there is no definition of shared education in the Department. Does that mean, however, that the Members opposite do not feel that an amendment could be drawn up within the next couple of weeks for the next stage of the Bill that complements Mr McCallister's amendment?

There are differing views on what shared education is. In my mind, it relates purely to the various stages of sharing across Northern Ireland, which I believe are no bad thing at all. Members, including me, will be able to provide examples from their constituencies of places where visits or after-school clubs are joined together or where two schools share a teacher in a specialised subject, and of other places where buildings or even classrooms are shared. To my mind, it is acceptable that different people are at different stages, but they must all be encouraged to share more. It is desirable that our children should be encouraged to respect the background and religion of others, no matter what that is. We support amendment No 3 and suggest that the Minister could surely draw up a definition of shared education quite quickly, given that, as we know, he likes to work in an accelerated fashion.

Amendment No 4 wants:

> *"to encourage, facilitate and promote the community use of school premises".*

Those living in rural communities will especially recognise the central role that a school plays in its community. Often, a parent-teacher group organises social events on a premises, which brings everyone in the community into the

school. We sometimes hear of exercise classes or history groups using school premises, and we are content that this type of community engagement should be encouraged.

Lastly, amendment No 8 is our Ulster Unionist amendment. The aim of this is to ensure that any changes to the Bill must be brought to the Assembly before it can come into force. I emphasise to those in the Chamber today the specific reason why Ulster Unionists tabled this amendment. It is because of clause 4(3) of the Bill. Members will have heard me quote this last week in the Chamber:

> *"The Department may by order make such supplementary, incidental, consequential or transitional provision as it considers necessary or appropriate in consequence of, or for giving full effect to, any provision made by this Act."*

I do not know what such supplementary, incidental consequential or transitional provision is planned by the Education Minister. I therefore would like the democratic opportunity to debate that fully in the House.

I assure the Members that we do not want to delay the prompt progression of the Bill or any further such necessary provisions. We are more than happy to work with others in a timely manner. I provide that assurance to the Education Minister and others. It is just that we do not trust the Minister of Education. Can the other parties in this House say that they can? If they cannot, I urge them to support our amendment.

Mr Agnew: I love coming to a debate in the Assembly knowing that we are going to get good and open discussion and that people are going to consider each aspect of the debate, but I come to this debate knowing fine rightly that that is not going to happen. It is no surprise that the DUP has tabled 10 petitions of concern on amendments to this Bill.

It kind of goes back to when we had the Second Stage debate and were told, "We want to fast-track this." As I saw it then, the DUP and Sinn Féin had got together and decided, "We have created a Bill and we like it. We don't want to give you time to scrutinise it, change it and make amendments. We just want to rush it through as quickly as we possibly can, so could you please leave it alone?" So when we try to make amendments, even in the limited capacity that we have through accelerated passage, we are told, "You are not getting changes, OK? We have agreed this. Move on. Get on with it. Get out of the way".

However, I was elected to the Assembly to serve my constituents based on a manifesto, and I do not believe that my constituents and those who voted for me are getting their due respect through this use of petitions of concern and abuse of a system that was put in place to protect, I suppose, a majority from governing a minority in an oppressive way. You can call the Green Party many things, but we are not the oppressive majority — I think that that is safe to say — so I am not sure who the petition of concern is being used to protect.

The debate has left me confused as to where some parties are on education in particular. I apologise, Mr Principal Deputy Speaker, I should declare an interest as an outgoing director of NICIE. My term will soon come to an end.

I wonder where parties are, because we have heard Peter Robinson talk about integrated education in positive terms, yet we heard Nelson McCausland earlier seemingly contradict that in remarks about the preferential treatment of the integrated sector. That preferential treatment is outlined in law, and I make no apologies for it. The preferential treatment has been supported by the Assembly and, I would argue, by his party leader.

When the DUP says that it wants a single-sector education system, I am just not sure what that looks like. Is it the tired old argument that if Catholics would just stop going to Catholic schools and come to controlled schools, we would have a single system and we would not need to worry about these other sectors and we could have our single education system? Is that still what we are talking about? If it is, it shows how little progress we have made.

The Ulster Unionist Party has stated clearly its position for a single shared education system.

I have heard Mr Kinahan explain what that means to him. It may be my ignorance, but I fail to understand what that is.

Mr Kinahan: You do not want to.

Mr Agnew: Possibly. The Member says that I do not want to understand. Maybe I do have some kind of block, so I am willing to give way if he wants to intervene, although I will make my point first, if that is OK.

To me, a single system is a single sector state education system; shared education is an attempt to bring sectors together. Shared, by definition, means more than one. It takes more than one to share: you have to have somebody to share with. At the minute, we largely talk about sharing between the Catholic sector and the Protestant sector, so I do not understand what a single shared education system is. Single is one and shared is more than one, so I am confused by that argument — genuinely. I want a single education system, but that necessitates moving away from the blocks that we have currently.

I will speak directly to the amendments before the Principal Deputy Speaker tells me to do so. At the outset, when Mr Lunn spoke to the Alliance amendment to place on the new authority a duty relating to integrated education, I said that I supported it. I think that it strengthens the current legislation and clarifies what we mean, or certainly what he and I would wish us to mean, by "to encourage and facilitate" integrated education. Essentially, we mean "to promote". Mr Lunn's tone might be somewhat different from mine, but I make no apology for saying that that means prioritising. I do not apologise for that because, from what I can gather, that was the intent of the law and is the will of the public. In my view, it is what is good for our society.

A segregated education system in a society that has faced so much division and conflict is not a good thing. So I make no apology for saying that we want to grow the number of children who are educated together — not together in one building but together in a single school with a single ethos, a single principal, a single uniform and single away days. It should not, as I said in a previous debate, be a case of one school going to Long Kesh and the other to the Maze.

I certainly believe in this, and every poll suggests that parents want greater provision of integrated education: 83% of parents in Belfast believe that integrated education is good for our society; and 72% think that integrated education should be prioritised. That is the term that was used. I know that, sometimes, polls are accused of being

worded to get support, but the word "prioritise" was clear in the question: should integrated education be prioritised? Seventy-two per cent said yes, and yet 7% of children are educated in integrated schools currently.

I hear people say that the demand is not there, and I always say that it is about choice. However, with integrated education, saying that people are not choosing it is a bit like saying that people in Northern Ireland do not choose sunshine. If you want sunshine, why do you live in Northern Ireland? If you want integrated education, why do you not go to an integrated school? We hear parents say, "My child could, but they would have to get three buses and a taxi", or whatever it might be. That is the choice for some parents. They say, "My child could travel two hours to school and back each day, but I want integrated education in my area". For many people, that is not the reality. Amendment No 1 and my amendment, No 5, seek to provide that, but I have acknowledged that I think that amendment No 1 is perhaps the better of the two.

3.45 pm

I have no problem supporting amendment No 2:

> *"to encourage, facilitate and promote Irish-medium education".*

Again, I think that the equality argument is being made, but if the best part of the 1,200 schools that we have are not integrated or Irish-medium schools, we are not starting from an equal position. I know that some people object to the term, but I have no problem supporting the positive discrimination that is outlined here.

Equally, I support amendment No 4 on the community use of schools. I think that the financial situation has led us to seek to maximise the use of public assets. I think that that is a good thing. We are moving away and should move away from the situation where schools sit empty for two months during the summer and in the evenings. In some cases, I have community groups meeting in my constituency office because they have nowhere else to go that they can afford. I think that we should use schools for the benefit of the community as a whole. I will listen to the Minister's response, but I fail to understand Sinn Féin's opposition to amendment No 4 because it is something that is departmental policy, and what this amendment would do is enshrine that in law. Policies come and go and lose favour, but legislation at least can be changed only after scrutiny through this House.

I support amendment No 8. I think that I am right in saying that Danny Kinahan said that he may not move it. Certainly, in principle, I have no problem with amendment No 8.

As much as I would like to support amendment No 3 from my good colleague in the naughty corner John McCallister, I have made my views on shared education clear. We had an opportunity. In every crisis, there was an opportunity. We had a crisis in falling enrollment numbers in schools and the segregated system's becoming unsustainable, which many argued. Credit is due to the Alliance Party for outlining the cost of division over the years. We had a clear cost. We could not continue to fund, in the segregated education system, two schools, whatever they might be, in one community. The obvious answer was to start educating children in the same school, with the same uniform and with the same principal and ethos, in an inclusive fashion and in a way that was efficient economically and also socially beneficial.

What did we do instead? We said, "No: we will not do that. We will agree this one-school idea, but we will have one building. We will keep the two uniforms, two principals, two boards of governors and two ethoses, and we will enshrine in one enclosed area that these children are different. These children over here, in this uniform, are Protestant; these children over here, in this uniform, are Catholic. We will make sure the children know it because they will have different uniforms and school names to show it and they may play different sports. We will emphasise from day one, from the age of four when they enter school, that they are different from those kids over there. They might share the same building and the same classroom, but they will not be part of the same school because they are not the same; they are fundamentally different." If that is the progress that we have made since the Good Friday Agreement, I weep. I really, really do.

I cannot support the amendment. I suppose that anybody could intervene and tell me that I am wrong and that that is not what shared education is, but we are actually being told that we cannot support John McCallister's amendment anyway because we do not know what shared education is; we have not defined it. It is not just the case that we have not defined it in legislation.

We do not even have a working definition of it. The parties that wrote 'Together: Building a United Community' (T:BUC), have not even agreed on what shared education is. We are guaranteed that we are going to have 10 shared education campuses. What is a shared education campus? They do not know yet; they have not agreed it, but we are going to have 10 of them. Brilliant, great. I cannot wait to achieve that goal. It will be such a step forward for education in our country.

Mr Lyttle: I thank the Member for giving way and for raising concerns regarding the definition of shared education. Does he agree that it is startling that we are told that is difficult to define shared education, when Programme for Government target 72 is to:

> *"ensure all children have the opportunity to participate in shared education programmes by 2015"*

and target 73 is to:

> *"substantially increase the number of schools sharing facilities by 2015"?*

Mr Agnew: I absolutely agree with the Member. We agree the headlines and then work out what the story is. I do not think that that is a good way to do government. I certainly do not think that it is a good way to do education, and it reflects another failure on the part of the Executive.

Mr McCallister: It is fair to say that this Bill is a dog's dinner, and I am not even sure that the dog would eat it, given the opportunity. This is why, last week, I warned against accelerated passage of the Bill, and that was why the Ulster Unionists and the Green Party voted against it. It is why I said to Mr Lunn that it was a mistake; and why I say to him today that he is now paying the price for not getting the Bill through a proper Committee Stage, working through it and giving the integrated sector the chance to come and present to the Committee, and working through

and scrutinising amendments. This is not the way to do legislation.

Let me pick up on one of the most recent points, the intervention that Mr Lyttle made in Mr Agnew's speech. You are quite right, Mr Lyttle, that those targets are in the Programme for Government. I remind you: you are part of the Government, and it is your responsibility. You are in the Government; you are a part of it; you are part of this mess.

Here is the problem with some of the Bill and these amendments. I also warned in the debate last week that, at times, it almost felt as though the DUP and Sinn Féin were talking about two separate Bills. It seems to have come true; this Bill is of slightly doubtful parentage. That is how we have ended up in this place with 22 amendments proposed, some of which come from Executive parties — and those parties are entitled to propose amendments — but 10 of the amendments, almost half of them, are subject to petitions of concern.

Most people in the Chamber know that I have been working on a private Member's Bill on reforming this place. I have had some research done into the number of petitions of concern used. This raises the number of unionist petitions of concern, since 1998, from somewhere in the mid-40s to the mid-50s. This is a record number of petitions of concern used on one day and on one piece of legislation. Too many Members stood up last week and said that this is a relatively simple, uncontroversial Bill and that is why we should ignore the Assembly's processes, just use this place as a rubber stamp and not pay much heed to it. That is why it is such a mistake to do it in this way.

Now that I have that off my chest, I turn to some of the amendments. I will comment on some of the integrated education stuff. Let me address Mr Agnew's point about the difference between integrated and shared education, whereby there may be two separate schools in one building and all that. Does he not accept that, even in the integrated sector, there are differences between pupils? In his contribution, Mr Lunn said that there would be no problem with Catholic pupils in an integrated school being trained up for the holy sacraments, which is right and proper; but you are having differences in that. You are making differences. Unless you move to a truly secular education system where there are no differences, that is the only way you could do it. I do not quite accept —

Mr Agnew: Will the Member give way?

Mr McCallister: Just a second.

I do not quite accept his making such a difference or saying that, somehow, shared education is such a second choice compared with integrated.

Mr Agnew: I thank the Member for giving way. I kind of accept his point. Integrated almost highlights the differences; it brings you in and says, "There are differences. Here's what they are. Let's talk about them, and let's respect them." It is part of the integrated ethos. It is not about Protestant and Catholic children accidentally ending up in the same school — I welcome that where that is happening — but it is about addressing some of those differences. It is not sticking a different uniform on those children and dividing them from the age of four.

Mr McCallister: I accept that. I readily accept, as, probably, many in the Chamber do, that, if we were starting with a blank canvas and designing our education system, the Minister may well do something very different. He may well be closer to what the First Minister has described. However, we are where we are, some 70 years into state education and with different sectors. No matter how much the Green Party or the Alliance Party wish away the Catholic Church or the Presbyterian Church, we are not going to get rid of different interests.

Mr Lyttle: Will the Member give way?

Mr McCallister: Yes.

Mr Lyttle: I appreciate that the Member is developing an argument, but he should be careful about the language that he is uses. He should reflect on the fact that he just said that the Alliance Party is wishing away the Catholic Church, which is completely inaccurate language to use.

Mr McCallister: I included the Presbyterian Church. I am a Presbyterian. I was not being offensive to any one side; I was trying to distribute it all out equally in the efforts of equality.

The point is that we, in the Assembly, have an education system that has evolved over many years. It may not be exactly how we would like it to be, but we have to protect and look after the various interests and see how the system develops, how we develop the shared education ethos, how we protect parental choice, and how we build in the faith-based ethos that people want to see. I would like to see many more kids from a non-Catholic background in the Catholic sector. I want to see that flexibility and people wanting to pick a school because it is a good school.

Some commented that some integration has happened very organically. That is very welcome, and I think that we should all encourage it.

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

Mr Lyttle: I thank the Member for giving way; it gives me the opportunity to raise a point. There seems to be an argument being developed today that making a straightforward proposal for a duty to facilitate, encourage and promote integrated education is some form of social engineering and that the current system has just organically developed. Does the Member agree with the First Minister that the current education system is a form of apartheid that is fundamentally damaging to our society?

Mr McCallister: I am glad that Mr Lyttle has some idea as to what the First Minister wants out of education. I do not. One day, he is talking about there being some form of apartheid in our education system, and, the next day, they are fighting hard to keep sectoral interests alive. I warned about this in last week's debate: you cannot have both; you cannot say that you want a single education system while supporting all the other sectors. My view is closer to what the Minister is trying to do. It is about shared education. It is a more realistic option starting from where we are at the moment. That is why I have tabled the amendments.

I do not have any issue with the Alliance Party amendments. It was probably obvious to a man on a galloping horse that the Alliance Party would table those amendments. My disappointment with the Alliance Party is that it was so blasé last week about letting the Bill go through with accelerated passage. It has suddenly been caught out because the DUP has used the petition of concern mechanism.

That is a complete abuse of the mechanism, but that is the system. I did not design it.

Mr Lunn: Will the Member give way?

Mr McCallister: Mr Lunn.

4.00 pm

Mr Lunn: I am listening to all this with interest, because we seem to be getting the blame for everything. Does the Member think that not having accelerated passage for the Bill would have opened the mind of those who have a closed mind on the issues we are talking about? If we discussed this Bill for a fortnight rather than a couple of days, it would not make any difference. They have a complete blind spot on some of the things that we and, I think, you are trying to promote.

Mr McCallister: You only need to look back to the debate all day yesterday and last night in the Chamber to see the advantage of taking our time and, as it was a private Member's Bill, working with the Minister as well as the Committee to see how you improve legislation. That is the way it should be done. Granted, in this instance, the Minister would not have had time to do that, but he would have had time to put the Bill through a Committee Stage. That way, you would have had a much better chance; you would have had the voice of the integrated sector making the case at Committee for the amendments that the Member feels so passionately about. He is bitterly disappointed that the use of the petition of concern has ended things in this way. It is very regrettable that we have got to that point.

My reason for tabling the amendments on shared education in this group and one that will be debated later is that it is not just about setting a vision; it is about the destination and building a society that is very much at ease with itself. We need a society that does not always divide into our two camps. You can have more organic integration between many of our schools, and that is something that we should want to see progressed.

I accept Members' frustration about the pace of the Minister's work on shared education. On 22 October 2013, he made a ministerial statement on advancing shared education. That was a year ago tomorrow. In fairness, the Minister probably feels some disappointment that he has not been able to move as fast as he perhaps would have liked to.

We hear too much talk about what is in our Programme for Government. There is a complete disconnect between that Programme for Government and what we are delivering on the ground. I readily accept that point, but the parties with Ministers must look to those people and say, "Why are you still there?".

As I said, I have no great problem with the Alliance amendments on integrated education. If they are pushed to a Division, I would certainly vote on the principle that a petition of concern was not necessary. You should have come here and had the debate. I would happily have been part of that and would have voted accordingly.

With regard to my amendment No 3 on shared education, I had a conversation with the Minister, and I want to hear some assurances from him that he will bring forward new legislation to define shared education and will make sure that he can deliver that. My big concern, given the state of the Northern Ireland Executive, is whether the Minister can get that legislation out of the Executive. Can the Minister get it through Committee and into the Assembly? That is my big concern. I am minded to take his advice and not move amendment No 3 on that basis, but I will look for some comfort in his response to this debate and how quickly he thinks we can get a definition and get a Bill laid before the Assembly. That is one area where he and I agree, and we need to move much, much more quickly on that to advance.

Amendment No 4 is about the community use of school premises. Colleagues mentioned David McNarry, who brought a private Member's Bill late in the last Assembly term, if my memory is correct. It is important that communities use school premises because we have many schools. As Mr Craig said in an intervention to Mr Sheehan, there are schools out there, and why should they not be used for two months over the summer holidays or in the afternoons and evenings? A great example of that is Rathfriland High School — my old school — which has a new 3G football pitch, part-funded by Education, DCAL and Banbridge District Council. The pitch is used by the school through the day and by the community centre and wider community at night. That is the sort of thing we need to see replicated.

The assets in our school estate run to millions of pounds. Why would we not want them to be used? Why would we not want people coming in and seeing around our schools and using them? Why do we not want to see the link made between parents being at school functions and events, getting to know the school, becoming comfortable with it and seeing what is going on, and the education of our children? That is something we should all welcome.

I understand some of Mr Sheehan's concerns, but I remind him that this is a Department that spends £1·8 billion on education and £160 million to £170 million some years on capital investment. This is one of the biggest-spending Departments in the Northern Ireland Executive. We have a huge asset base, so it is only right and proper that we use it. Mr Sheehan made a point about the authority not owning the schools in the Catholic maintained sector. I want to see us embracing the community use of school premises, and I hope that they would embrace this and a later amendment and say, "This is our opportunity to really make sure that our school becomes the hub of a community". That is why I am so supportive of amendment No 4.

I probably touched on amendment No 5 being too specific in its reference to Catholics and Protestants, which is probably slightly unneeded. I hope that Mr Kinahan moves the UUP amendment. It is a sensible change; it makes sense to do that.

The amendments in the group are very much designed by all Members to try to improve the Bill within a limited window of opportunity. I am disappointed that petitions of concern have been used in such large numbers over the amendments, but we are where we are. I thank Members who will support the amendments that I tabled, and I will support some of the others.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. As has been stated, amendment Nos 1, 2 and 5 would place a duty on the Education Authority to encourage, facilitate and promote integrated and Irish-medium education. I should make it clear that there already exists a duty on my Department to encourage and facilitate the development of Irish-medium education under article 89(1) of the Education Order

1998 and to encourage and facilitate the development of integrated education under article 64(1) of the Education Reform Order 1989. Both those duties are taken seriously by my Department.

The Department will fulfil its duty through its strategic management responsibilities for the authority and will hold it to account through the management statement and financial memorandum. Indeed, that is how the Department meets its duty as described in current legislation in respect of the ELBs. Regardless of what happens — I know that the vote is something of a foregone conclusion, with petitions of concern tabled — the new authority will have a duty on it. My Department's duty is reflected on and part of the role of the authority.

I now turn to some of the comments made by Members in the debate. I disagree with some of Mr Lunn's comments on my Department's role regarding integrated education. I assure the House that I will live up to my responsibilities with regard to the ruling in the Drumragh judgement. However, I will not take the legal interpretation of that judgement from certain newspapers or columnists; I will take it from legal advisers. I will not go into some of the commentary from the weekend, but it was a bit off the mark. Duties are called for by some of the amendments, but, regardless of what happens today, the authority will not be able to dismiss its duties on that matter, and a number of Members referred to that.

Amendment No 3, tabled by Mr McCallister, would place a duty on the Education Authority to encourage, facilitate and promote shared education. I support the principle of the amendment and where it wishes to bring us. However, there is a certain flaw, at this stage, in tabling the amendment. I will cover some of the points. Mr McCallister will be reassured to know that I am preparing a stand-alone Bill on shared education that will address the amendment. Work has commenced on a shared education Bill that I am keen to introduce to the Assembly in this mandate. I do not believe, therefore, that this legislation is the right vehicle to bring forward that programme of work, which, I think, the vast majority of Members support. I do not think that it can be achieved by a simple clause being added to the Bill, although the clause may be relevant to the next Bill. Certainly, I am more than happy to engage with Mr McCallister on that matter in preparation for the Bill, or perhaps he will wish to table an amendment to the future Bill. If we accept today's amendment, the challenge is this: how would anyone hold the authority to account for facilitating and promoting shared education if there is no legal definition? That is the difficulty. There is a definition of shared education. My Department has a definition of shared education. That is how we brought forward the shared education campuses, contrary to Mr Agnew's suggestion —

Mr Agnew: Will the Minister give way?

Mr O'Dowd: I will give way in a moment.

That is contrary to Mr Agnew's suggestion that we simply sent out a note saying that, if anybody had any ideas for what a shared education campus should look like, they should send us a letter and we would think about it. We sent detailed criteria to all bidders and judged it against detailed criteria. In the first bid, three campuses were successful. We have reissued the bids and hope for wide interest on that. A shared education definition has also allowed us to move forward in a number of areas, including the announcement by the First Minister and deputy First Minister only a number of weeks ago of a £25 million programme for shared education, with a significant amount of that money coming from Atlantic Philanthropies. We have also made quite a significant bid to the next round of European funding to advance shared education. There is a definition, but there is no legal definition.

Mr Agnew: I thank the Minister for giving way. I previously asked a question for written answer on the definition of shared education. The answer came back — I paraphrase, because I do not have it in front of me — that there is no definition.

Mr O'Dowd: That just goes to prove that even I can get it wrong: there is a definition. There is a definition on my Department's website. It depends how you framed the question, of course, and I am more than happy to revisit it. However, be assured that the shared education campuses, the £25 million funding secured from the Executive and Atlantic Philanthropies and other shared education programmes run on a definition.

Mr McCallister: I am grateful to the Minister for giving way. He will be aware of the work done by Queen's University's centre for shared education. If the definition is so well advanced, will he not consider, if the amendment is made, bringing it forward at Further Consideration Stage?

4.15 pm

Mr O'Dowd: No, because I do not think that it is an amendment-style piece of legislation. First and foremost, it will be a short Bill, but it deserves — you have made this argument yourself today — proper scrutiny by the Assembly. There is no reason why it should go through an accelerated passage stage. It requires to be debated because there will be some contrary views on what the legal definition of shared education should be. If Mr McCallister's amendment comes forward, either as a substantive clause in the Bill or an amendment, there will be questions about how that clause and that duty will work. It deserves the scrutiny of the Assembly, rather than a simple clause attached to a Bill that is going through under accelerated passage.

Mr Lunn: Will the Minister give way?

Mr O'Dowd: I will, yes.

Mr Lunn: Far be it from me to promote either the definition or the cause of shared education — as everybody knows, I have mixed views about it — but I wonder how helpful a firm legal definition would be. Shared education has been with us in various forms for donkey's years. It is shared classes, shared facilities, shared transport, shared campuses and shared teachers. There may not be a firm definition, but everybody has a pretty clear vision of what it means, surely.

Mr O'Dowd: Yes. I will respond to one of the points that you raised. Sharing among whom? What is a shared class? What is a shared trip? We are injecting significant amounts of public money into this programme, and we want to be assured that what we are involved in is not a joint trip, a joint class or a joint programme. We want to ensure that young people are coming together to share education and learn about each other from each other. Our community relations work in the Department has changed over a number of years as community relations work and

equality and diversity work have evolved. Teachers tell me stories of how they were involved in community relations work a number of years ago. They went on a bus to a venue, and the other school went on its bus to the venue. They went into the venue and this school sat here and that school sat there, and that was community relations. We have moved beyond that, but we need to give shared education its right place in educational features, in the Education Department and in education policy. It deserves its own Bill and deserves legislative recognition, and I believe that that is where Mr McCallister's amendment belongs at this time.

I will move on to amendment No 4. Again, I fully support the principles behind the amendment — to encourage, facilitate and promote the community use of schools — but, again, how do we hold the authority to account and how does the authority hold the schools to account for not encouraging, facilitating and promoting the community use of schools? The amendment, in my opinion, does not do it. When we issued guidance earlier this year, I think, and had a joint launch with the Minister of Culture, Arts and Leisure in terms of community use of schools for sports clubs etc, I said that, if schools did not improve the community use of their premises, we should look at legislation. At this moment in time, I believe that the guidance provides them with many of the answers to the unanswered questions that they were asking in relation to insurance and how to work with your local education and library board. I was interested to hear Mr Craig's —

Mr Craig: Will the Minister give way?

Mr O'Dowd: Just let me finish this point, and then I will bring you in.

I was interested to hear Mr Craig's point on how you ensure child safety etc. All those questions were posed and answered through our guidance. Currently, around 80% of schools are involved in community use. I would like to see that increased to 100%. I am very conscious and agree with Members that, with restricted budgets, our schools should be community facilities and community centres and should be used for a wide range of activities other than their formal role of education, but I believe that, to achieve that, if the current guidance does not work and Members want to move to legislation, it deserves more legislation than a simple clause.

I will bring in Mr Craig.

Mr Craig: I thank the Minister for giving way on that point. I think that he and I fundamentally agree on the community use of schools. I can quote several good examples of how that is done, and Laurelhill Community College is a prime such example. However, I have also met representatives of schools who refuse to do that, some of whose schools have ended up being closed because of their failure to engage with the community. On several occasions, Minister, I have also come across a board putting obstacles in the way of the community use of a school. That is why I agree with John that there should be something in the legislation that forces them to promote the community use of schools.

Mr O'Dowd: Again, I find myself not disagreeing with the Member. The question that I keep coming back to concerns an amendment. What is the meaning of:

> *"encourage, facilitate and promote the community use of school premises"?*

How will that be used as a guarantor? I will use your example: if, in your opinion, a board or the authority is not helping a school, how will you hold them to account under that? It needs to be fleshed out. It requires further work and deserves much more than an amendment to a Bill.

Article 140 of the 1989 order places a duty on the board of governors of each individual controlled school and trustees and managers of voluntary and grant-maintained integrated schools to:

> *"have regard to the desirability of school premises being made available ... for use by members of the community served by the school."*

Mr McCallister: Will the Minister give way?

Mr O'Dowd: Just give me one second.

The amendment does not duplicate that provision, but I think that the current provision goes much further. I accept that "desirability" is not a very strong word in legal terms, and perhaps legislation or an amendment at Further Consideration Stage could be used to amend the current order and add greater value to the intentions of the proposer of the amendment and many of those who support it.

Mr McCallister: Maybe I could correct the Minister: Mr Allister is much angrier than I have ever been.

I agree with Mr Craig. School involvement in the community and the community use of schools are very patchy across Northern Ireland. Some are much more open to it. Mr Craig rightly pointed out that, in some cases, even the board, or individuals on the board, can also be problematic. The amendment is one way of making this much more even across Northern Ireland.

Mr O'Dowd: Apologies to Mr McCallister. I read in a recent article that Mr Allister is actually quite cuddly — *[Laughter.]* — but I do not believe everything that I read in the newspapers either.

We want to achieve the same outcomes, but I question whether the amendment will achieve those outcomes. I do not think that the amendment should be moved, but, if it is moved and the House supports it, so be it. It will not do any harm to the Bill, and it certainly will not do any harm to the objectives that you set out. However, I would certainly like to return to it in the future. If the current guidance does not achieve its goals and there is no significant increase in the level and type of community use of schools, we should return to it through a broader legislative framework.

I also alert Mr Rogers, who —

Mr Newton: I thank the Minister for giving way. There is, at this time, an ambition and plan for Elmgrove Primary School and Avoniel Primary School to move to a new build on the Avoniel site. The secret of the success of investment there will be to build a relationship with Belfast City Council so that the adjacent Avoniel playing fields and Avoniel leisure centre can form part of the plan. If we are to wait until the work necessary, as you describe it, is done, the opportunity for the real enhancement of primary education in what is a difficult area is likely to be lost.

Would it not be appropriate to allow this amendment to go through on the basis that we are working towards that aspiration?

Mr O'Dowd: I do not have the full details of the case that you are referring to, but on the broader principles, as you outlined, even now, you could achieve that goal. You do not need this amendment to achieve that goal, and there are many fine examples of current investment that is going into schools and of the previous investment that has gone into schools where we have worked with other statutory agencies, including the council.

In fairness to Belfast City Council, it came to me about two years ago and discussed with me its leisure plans moving forward. Ever since, we have been working along with Belfast City Council, back and forth, alerting it to our proposals, and it has been alerting us to its proposals, to see whether there is a way that we can work in tandem in the provision of community facilities. However, this amendment is not necessary to achieve the goals that you speak of. As you said, it is a matter for the House. If the House wishes to agree it, it does no harm to the Bill, and it maybe sends out an alert that things need to change.

Mr Rogers said that, while he was supportive of the amendment, he did not wish any further burden to be placed on school leaders. If we pass this legislation, there will be a further burden placed on school leaders. To what degree, I do not know, but, certainly, there will be another aspect. It may not be significant, and it may, in fact, be insignificant, but there will be some aspect of the authority placing extra scrutiny on schools to ensure that they are open to community use. That may not prove to be significant or a difficulty.

I turn to amendment No 8. Again, this is an unnecessary amendment. Clause 4, which amendment No 8 wishes to amend, is a normal, regular clause, which we include in every piece of legislation that comes before this House and will be in existing legislation that governs many of the functions and roles of Departments and public bodies moving forward. There seems to be a conspiracy theory boiling in the Ulster Unionist Party that I will use this clause to bring forward all forms of legislation that I will not have to bring before the House and that I will do away with all and sundry under this devilish clause that I have dreamt up.

I wish it were that simple, but it is not. Mrs Overend says that she does not trust me. She does not have to trust me under clause 4 because, once I bring forward a negative resolution to the Committee and the Assembly is alerted that there is a negative resolution in play, any Member of the Committee can pray against it or any Member of the Assembly can pray against it. Once that happens, it has to come before the Assembly for full scrutiny. So, it is not a case of me going into a dark room somewhere under candlelight and writing out legislation, signing it off and then it becomes law. That cannot happen under clause 4. I have to come before the Committee. All the members of the Committee have to agree. All the Members of the Assembly have to agree because, once one Member objects, it has to go to affirmative resolution. So, whether Mrs Overend trusts me or not, I assume that she trusts herself. Therefore, under clause 4 as it is currently drafted, her rights and the rights of Members of this Assembly to interrogate legislation have not been diminished in any way, and it is not unique in any way to this legislation.

I think that Mr Kinahan or maybe Mrs Overend suggested that I let them know what I am going to bring forward. I have no plans to bring forward any matters at this stage. Over this last three years as Minister, I think that I brought, maybe, two negative resolutions to the Committee. Maybe it was three, but that is about it, tops. I do not expect, that, as a result of the six-clause Bill here, I will be bringing forward weekly resolutions. A number may come through over a period of years, but, as I said, under the current drafting of this clause, any Member of this House can ensure that it goes through full Assembly scrutiny.

There I leave it, Deputy Speaker. I have made my views known on the various amendments before us, and so be it.

4.30 pm

Mr Lunn: It has certainly been an interesting morning, and most of the afternoon. First, I will deal with accelerated passage. Mr McCallister has consistently opposed that procedure. In the normal way, so we would we; and I think he probably knows that. However, as the Minister has just said, this is a six-clause Bill. We were in a situation where the Minister came to the Committee and made a plea for accelerated passage. That plea was accepted by four of the five parties represented on the Committee on the basis that using the normal procedure had the potential to cause enormous difficulties down the line if we did not get the Bill through before 1 April. It was likely that that would happen; so, we accepted accelerated passage.

I have used the word "simple" before. It really is quite a simple Bill, but some of us have used the opportunity to try to amplify it slightly and to tie down a few things, particularly about representation and making it absolutely clear that the obligations currently on the Department and the board will transfer to the new authority, with the slight extra pressure of the use of the word "promote". Frankly, there is nothing here that the normal passage and discussion would have changed, except that we might have had more amendments. I do not think that it would have made any difference in the number of petitions of concern that were put down. It may be that all of our perfectly sensible and rational suggestions are going to be voted down here by the petition of concern. We will have discussions with the parties to see if we can come up with something and agree on one amendment, particularly on the representation on the authority, for Further Consideration Stage. We will see if the DUP sticks to its guns and uses its mighty wrecking ball to come in again and ruin the amendment. We will just have to see.

I heard the Minister's comment about clause 4(3). That is a regular one, is it not? I think that the Ulster Unionists are being oversensitive about that.

Mr Agnew gave us quite a lurid description of some examples of shared schooling. I completely agree with him, but I am not totally against shared education, per se. As I said to the Minister in an intervention, I wonder why we are so hung up on the legal definition, when you think that over half the schools in Fermanagh, for instance, are already sharing in a perfectly acceptable way. We had an example at the Committee, just last week.

The arrangement at Cross and Passion College and Ballycastle High School is a fantastic example of how this can come about and how it can be developed.

I will go back to our amendments. Amendment No 1 is a pretty straightforward attempt to enshrine the use of the word "promote" into legislation. As I said a few hours ago, the Assembly voted to accept this on 23 November 2010 and nobody objected to it. The vote was 39-0, so it was not a huge turnout, but no party objected to it. So, we feel that it is reasonable to ask to bring that into legislation, and this is a convenient time to do it. It might be better if there were some way in which we could amend the 1989 Order, which would bring it through, but this is a way to do it. I remain extremely disappointed by the DUP's opposition to that amendment. I do not accept their objections or the rationale or reasons they give for those objections. The new concept that has come up, recently, from both unionist parties that we need a single school system is so unrealistic that it does not hold water.

Mr McCallister: I am grateful to Mr Lunn for giving way. Does that not show that, while the five parties are in the Executive, there is no straight Executive policy as to what the future of education might look like? The Minister is for shared education, the Alliance Party is for integrated, the Ulster Unionists and the DUP are a mix between one single system and a bit of everything. Maybe Mr Rogers can correct me, but until you work out the Government of Northern Ireland's policy to deal with education, you will get a petition of concern in respect of amendments. You need to get a policy. A Government with no policy on education is not very well placed to help our children.

Mr Lunn: Mr McCallister appears to want support from us for his amendment but continually castigates us for every action that we try to take. The Alliance Party is not purely into integration. That must be clear by now. A single school system, in theory, may have some merit. Maybe 200 years down the line, this country might come to that conclusion; frankly, I doubt it. We have no intention, unlike, I suspect, the proponents of a single school system, because their vision of a single school system does not include Catholic maintained, integrated, or Irish-medium. That is what a single school system is to my colleagues to the left.

We favour faith-based education. We favour parental choice in education, and I know that Mr McCallister agrees. Those are the two words that matter. It is the option for a parent to send their children to the nearest good school of their choice. If we can get to the point where Protestant children feel perfectly comfortable going to a Catholic school, and some of them do, that is excellent. That is parental choice.

Mr Hazzard: I thank the Member for giving way. Will the Member then agree that such parental choice should not be described by his colleague as educational apartheid and segregation?

Mr Lunn: I recall his intervention, although maybe I was not paying enough attention. If Mr Lyttle wants to clarify that, he is perfectly welcome to intervene, to get me off the hook.

Mr Lyttle: I was referring to a comment made by the First Minister, who referred to the education system as a form of apartheid, yet my point was that the track record of delivery in trying to address that seems very scant.

Mr Lunn: Yes, the system that we have at the moment has elements of enforced separation, but it should not be enforced; it should be open to any parent and child to go to the school of their choice. I continue to say on behalf of the integrated movement that there is no barrier whatsoever, spoken or unspoken, for any child to come to an integrated school. That is what it is about.

We are 40-odd years down the line with integrated schools. I think that Brian Mawhinney set up the first one way back then. We have, I think, 1,150 schools in the Province, unless the Minister has closed any this week, 62 of which are integrated. Where is the threat? I keep looking at the unionists when I say that, but where is the threat to the CCMS? It has come out into the open this week through the press in its response to our review of these matters and stated quite unequivocally, as it did at the Committee only two weeks ago, that it wishes that the appropriate authorities would stop trying to promote integrated education. When its representative came to the Committee, he said that it would never countenance a Catholic school transforming to integrated status. He said that they exist to open Catholic schools, maintain them and close them. If the option is to allow the amalgamation of a Catholic school with a local controlled school to form an amalgamation, integration or call it what you like, they will say no. They will close that Catholic school and distribute the children around other Catholic schools. I am determined to be even-handed here.

I move to amendment No 3, which is Mr McCallister's amendment on shared education. I do not know whether he will move it or not; it is up to him. If he does, we will support it.

It is a good concept.

Amendment No 4 refers to community use. I appreciate that this has been much discussed over the last few years through Mr McNarry's private Member's Bill and, more recently, by the Department. At the end of the day, this is a desirable thing that should be happening. In any of my contact down the years with schools, whether it was in my old days, or my children's or my grandchildren's day, schools were being used by the community, and that needs to be encouraged. There is not a very strong onus in the wording of Mr McCallister's amendment. It makes the point to the new authority that it is something to be encouraged. I am sure that there are things that the boards could have been doing and probably have not been doing to explain to schools how to do it, how to get round the insurance problems, the staffing and security problems, and how to work out leases if it came to that. There are things that could be done. For my money, the amendment is valid and has a place in the Bill.

Amendment No 5 is from the Green Party. Of course, I would support it, would I not? However, it does not advance the situation as far as I can see. All that it does is to restate what is already in legislation. There is no harm in it, but I do not see the point in it. However, we will not vote against it.

With regard to amendment No 8, I must say that I have never managed to fully get my head around affirmative and negative resolution, and I fancy that I will leave this place in a few years' time still not knowing what it all means. Given the suspicion that Mrs Overend talked about towards the Minister, if the Ulster Unionists would be more comfortable with affirmative resolution — everything has to come before the House rather than being slipped through as she put it, or under candlelight as the Minister put it — that is fair enough. If that provides reassurance to people

who have some doubts on those matters, why not? If that amendment is moved, we will vote for it.

That is about it from me, Mr Deputy Speaker. We have a long way to go with this yet. I fancy that we are in for more trouble over the next few hours. However, we will be moving our amendments and trying to put them to a vote.

Mr Deputy Speaker (Mr Beggs): Members should note that, as amendment Nos 1 and 5 are mutually exclusive, if amendment No 1 is made, I will not call amendment No 5. 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 47; Noes 46.

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister, Ms Sugden.

Other

Mr Agnew, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lyttle and Mr McCarthy.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

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

Total Votes	*93*	*Total Ayes*	*47*	*[50.5%]*
Nationalist Votes	*38*	*Nationalist Ayes*	*38*	*[100.0%]*
Unionist Votes	*48*	*Unionist Ayes*	*2*	*[4.2%]*
Other Votes	*7*	*Other Ayes*	*7*	*[100.0%]*

Question accordingly negatived (cross-community vote).

Amendment No 2 proposed: In page 1, line 11, at end insert

> *"(2B) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote Irish-medium education.".— [Mr Lunn.]*

Mr Deputy Speaker (Mr Beggs): Before I put the Question on amendment No 2, I remind Members that amendment No 2 requires cross-community support due to a valid petition of concern. I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three minutes and move straight to a Division.

Question put, That amendment No 2 be made.

The Assembly divided:

Ayes 45; Noes 47.

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lyttle and Mr McCarthy.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

Total Votes	*92*	*Total Ayes*	*45*	*[48.9%]*
Nationalist Votes	*37*	*Nationalist Ayes*	*37*	*[100.0%]*
Unionist Votes	*48*	*Unionist Ayes*	*1*	*[2.1%]*
Other Votes	*7*	*Other Ayes*	*7*	*[100.0%]*

Question accordingly negatived (cross-community vote).

Amendment No 3 proposed: In page 1, line 11, at end insert

> *"(2C) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote shared education.".— [Mr McCallister.]*

Question put, That amendment No 3 be made.

Mr Deputy Speaker (Mr Beggs): In accordance with Standing Order 27(4), as no tellers were appointed by the Noes, the Ayes have it.

Question accordingly agreed to.

Amendment No 4 made: In page 1, line 11, at end insert

> *"(2D) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote the community use of school premises.".— [Mr McCallister.]*

Mr Deputy Speaker (Mr Beggs): Amendment No 5 is mutually exclusive with amendment No 1, which has not been made. Amendment No 5 proposed: In page 1, line 11, at end insert

> *"(2E) It shall be the duty of the Education Authority to encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils.".— [Mr Agnew.]*

Mr Deputy Speaker (Mr Beggs): Before I put the Question, I remind Members that amendment No 5 requires cross-community support due to a valid petition of concern.

Question put, That amendment No 5 be made.

The Assembly divided:

Ayes 48; Noes 47.

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Agnew and Mr Lunn.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

Total Votes	*95*	*Total Ayes*	*48*	*[50.5%]*
Nationalist Votes	*39*	*Nationalist Ayes*	*39*	*[100.0%]*
Unionist Votes	*48*	*Unionist Ayes*	*1*	*[2.1%]*
Other Votes	*8*	*Other Ayes*	*8*	*[100.0%]*

Question accordingly negatived (cross-community vote).

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

New Clause

Mr Deputy Speaker (Mr Beggs): We now come to the second group of amendments for debate, which concerns departmental grant aid to sectoral bodies. With amendment No 6, it will be convenient to debate amendment No 7. Members should note that amendment Nos 6 and 7 are mutually exclusive.

Members should resume their seats and desist from talking in the Chamber. Members. Order.

Mr O'Dowd: I beg to move amendment No 6:After clause 3 insert

> *"Grants to sectoral bodies*
>
> ***Grants to sectoral bodies***
>
> ***3A**. The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of grant-aided schools of a particular description.".*
>
> *The following amendment stood on the Marshalled List:*

No 7: After clause 3 insert

> *"**Funding of Sectoral Bodies***
>
> ***3B**. The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of controlled schools, or any body which is recognised by the Department as representing grant-aided schools of any other particular description ".— [Miss M McIlveen.]*

Amendment Nos 6 and 7 are concerned with the funding of bodies that represent the interests of grant-aided schools. Unlike the other education sectors, the controlled sector has lacked a funded body to provide it with a voice and support it. I want to address that deficiency.

I have already given a commitment to fund the establishment and running costs of that body to my Executive colleagues, the Education Committee and, during Second Stage, to Members. I also set out the functions that that body will be funded to undertake. I also agreed with Executive colleagues to explore a more robust underpinning to my commitment. That can be best delivered by making that provision within the Bill.

Underpinning will also include a number of administrative measures. My Department's corporate and business plan will include a requirement for the Department to provide funding for a controlled sectoral support body, and the funding of a controlled schools sectoral support body will require a formal contractual agreement between my Department and the body. That will set out clearly the objectives against which the organisation is required to deliver.

The further amendment tabled by Miss McIlveen and Mr McCausland is therefore unnecessary. The additional wording refers to:

"as representing the interests of controlled schools".

That is superfluous. The amendment that I proposed states that funding can be provided to any body that is recognised by the Department as representing grant-aided schools of any description. That encapsulates all sectoral interest groups and avoids the potential difficulty in seeking to name all those groups.

My stated commitment to providing funding for a controlled sectoral support body negates the need for the inclusion of a specific reference to the body in legislation. In light of that, I trust that amendment No 6 will be agreed. However, if amendment No 6 falls, I will not oppose amendment No 7.

Miss M McIlveen: Throughout the various incarnations of the Education Bill that have come before the House, the DUP has consistently advocated the controlled sector being afforded the same representative rights as every other sector in education in Northern Ireland. One of the many fundamental concerns that we had about the first Education Bill was that the controlled sector was being placed at a clear disadvantage compared with other sectors in education in Northern Ireland. My concern with the first Bill was that while the ethos of other schools was to be protected, that of controlled schools was to fall by the wayside.

The Catholic maintained sector is represented by CCMS, the Council for Catholic Maintained Schools. It describes itself as the advocate for the Catholic maintained schools sector in Northern Ireland. CCMS was established under the Education Reform (Northern Ireland) Order 1989. While its primary purpose is to provide upper-tier management for the sector, with the principal objective of raising standards, it has a much wider remit. The body, in its own words, states that it:

> *"has a wider role within the Northern Ireland education sector and contributes with education partners to policy on a wide range of issues such as curriculum review, selection, pre-school education, pastoral care and leadership."*

It also states that it:

> *"supports trustees in the provision of school buildings and governors and principals in the effective management and control of schools."*

The Education Reform (Northern Ireland) Order 1989 imposed a duty on the Department of Education to encourage and facilitate the development of integrated education. As a result, the Department began to grant-aid the Northern Ireland Council for Integrated Education — or NICIE, as it is known. NICIE describes itself as "an ethos body with a representational role", and it is a voice for its sector.

The Department of Education set up Comhairle na Gaelscolaíochta (CnaG) in 2000 as the representative body for Irish-medium education. Its purpose is:

> *"to promote, facilitate and encourage Irish-medium Education."*

Schools represented by NICIE teach around 7% of the children in Northern Ireland; those represented by CnaG less than 1%; and those by CCMS around 37%. The controlled sector up to this point has had no equivalent body to promote, encourage and facilitate the development of the controlled sector, despite educating around 41% of the children here.

I welcome the fact that the Minister outlined, during Second Stage, the role of this new body. That was agreed by the Executive on 9 September. At a time of budgetary constraints, falling enrolments in areas, area planning and a move towards shared education, it is perhaps more important than ever that the controlled sector has its own voice. The Education Authority cannot advocate for the controlled sector as it will be the one taking the decisions. A separate, funded body is required, similar to those for the Catholic-maintained, integrated and Irish-medium sectors.

This is a massive step forward for the sector; one that we, as a party, particularly welcome, and it is welcomed by those in the controlled sector. While we welcome the amendment tabled by the Minister, which means that the Department can pay grants to any body that is recognised as representing the interests of grant-aided schools, including voluntary grammars, the controlled sector wants to see as robust an underpinning as possible of its position. Therefore, we have tabled an amendment that specifically refers to the controlled sector as well as allowing for the ministerial discretion contained in the Minister's amendment. The Minister may believe that this is unnecessary, but our amendment is about giving the maximum comfort to the controlled sector. As I indicated during Second Stage, this is a natural consequence of the uncertainty that has been hanging over education for the past seven years and the controlled sector's lack of representation while others have had theirs.

Members should be mindful that what is being tabled today is a power not a duty. While this is not the controlled sector body being on an equal basis with other bodies, it goes some way to address the gap in support and advocacy. I very much hope that the Assembly, particularly those Members who talk most about equality and fairness, will recognise the need for this and support this amendment.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on this group of amendments. It was outlined in earlier comments that there could be no doubt that this Minister has demonstrated a welcome commitment to address various gaps, for want of a better phrase, in relation to controlled sector advocacy and the role of a controlled sector body in the months and years ahead.

I specifically mention the investment that was made in research to bring together a body under the guise of the former ESA Bill and how that will now progress in the months ahead. At a recent Committee meeting, and at an earlier stage, a commitment was given that the financing of such a body would be underpinned in DE's corporate business plan.

5.30 pm

Sinn Féin welcomes the fact that those issues are being addressed. However, I agree with the Minister in that I do not feel that the DUP's amendment is necessary. Indeed, I think that its Members are being quite mischievous. We are more than happy to support the Minister's amendment. It is inclusive of all sectoral interests and actively avoids falling into the prescriptive nightmare of naming one group or another.

The DUP needs to be careful. It seems that it is OK to use one sense of logic about levelling the playing field when it comes to the controlled sector, but that same logic does not apply to the integrated or Irish-medium sectors. I am quite happy to give way if somebody wants to intervene, but it seems like hypocrisy to say that there is a historical imbalance and that we need to address certain gaps, so we need to name the controlled sector. If that is levelling the playing field, surely the extension of such logic is, equally, what we discussed this morning about the Irish-medium and integrated sectors.

I put that to the DUP and would appreciate it if somebody cleared it up. It is an imbalance that needs to be addressed. As I said, Sinn Féin is content that the Minister is continuing to engage with controlled sector representatives. That is positive and to be welcomed. We are happy to support the Minister's amendment. If that is not accepted, we will support amendment No 7.

Mr Rogers: Throughout the ESA process, I was adamant that a sectoral body for controlled schools was essential. Just as the SDLP wants proper representation and authority for all sectors, the same should be the case with funding arrangements and not selecting any one side for preferential treatment. I declare an interest as chair of Grange Primary School's board of governors.

I understand why some Members opposite interpret CCMS as creating preferential treatment for the maintained sector. However, we have to go back to the original reasons why CCMS was set up in the 1989 Order, which was to raise standards. It provided an invaluable service to the Catholic maintained sector. However, 25 years later, we are in a different educational landscape. We will support amendment No 6. Drawing attention to a particular sector in amendment No 7 gives, rightly or wrongly, a perceived preference to that sector. While I cannot fault Members opposite for fighting their corner, I am fighting for all corners.

Mrs Overend: In this second group of amendments, I see two amendments of the same type. It just seems that the DUP has gone slightly further than the Education Minister to specify the controlled sector. Naturally, the Ulster Unionist Party supports amendment No 7.

In the House and in Committee, the Minister has said that he is setting up a sectoral body for the controlled sector, as it seems that he is unwilling to remove CCMS. Whichever way it is, it is important that all sectors are on an even keel. We have a number of concerns about the amendment. It seems that the formation of the controlled sectoral body is not enshrined in the legislation, and we are to take the Minister's word in the Chamber that that is what he wants to do. I wonder why he does not want to put that in legislation.

Other sectoral bodies supporting other types of education could be funded under the wording of this amendment, I presume, but they are not specified. I believe, therefore, that the amendment is very open-ended. Does the Minister plan to do the same for other groups, such as the voluntary or integrated sectors? I look forward to the Minister's response to that.

I also want to question the Minister about how he intends to assess the validity of any group that is applying for grant aid from the Department. Is there a chance that funding for more than one group within one sector can be successful? Those are a number of questions that need to be answered. The amendments seem open-ended, and we need clarification on those matters.

Mr Lunn: We are perfectly happy to support amendment No 6, and, if it does not pass for some reason, we are just as happy to support amendment No 7, the reason being that there is not a pick of difference between them. They both say that:

> *"The Department may, subject to such conditions as it thinks fit, pay grants to any body".*

That is the first line of both of them. The second one happens to specify controlled schools. Frankly, so what? It is any body that the Department thinks fit. To me, it is another example of perhaps the slight lack of trust. Mrs Overend said that she is prepared to take the Minister's word on some aspect — I forget what it was — but at the same time does not —

Mrs Overend: I did not say that.

Mr Lunn: Those are your words. Frankly, I have no problem with the establishment, as I have said many times, of a controlled sector body. I think that it is high time that we had such a body to mirror the operation of CCMS, NICIE and CnaG. I am sure that this section is necessary in such a Bill, so whichever one of them goes through, I do not really mind, but I think that, normally, if there was not a level of suspicion around, it would probably be amendment No 6. It is a question of the Queen's English, but we had all this with the ESA Bill when different lines of perfectly straightforward text meant different things to different people, and it looks like we are at it again here. We will support amendment No 6 or No 7.

Mr McCausland: The system of education that we have in Northern Ireland is complex, and, over the years, we have built up a complex system of governance and an architecture of governance and support. It has been built up over 40 years and added to from time to time. We are not starting with a blank sheet.

It was pointed out by Mr Hazzard that there appears, in his view, to be some inconsistency in the position taken by the DUP, but the basis of our amendment is that, whilst CCMS and NICIE have their basis in the Education Reform (Northern Ireland) Order 1989 and therefore have a quarter of a century of history behind them, for that quarter of a century there was a gap, and he himself admitted that. It was never addressed over that period. CCMS and NICIE have their basis in the 1989 Order, and we are seeking a basis in this piece of legislation for a sectoral body for the controlled sector.

We have seen very clearly the benefits of having a sectoral body, because we have seen the operation of the other sectoral bodies over a long number of years. It is a research body, a support body and an advocacy body. It promotes

the ethos of that sector and speaks up for that sector. Even today, we have seen in the 'Irish News' how CCMS is able to speak out clearly and unmistakably on behalf of the sector that it represents. It is important, therefore, that there is a sectoral body for the controlled sector.

We have talked a little bit about equality. The fact is that we will never be able to achieve full equality in the education system because we have a situation where the trustees in the maintained sector own the very buildings and the ground, and that gives them a different situation from those in other sectors. I commend our amendment No 7 because I believe that it gives us a solid basis for what has long been needed, and that is a sectoral body for the largest sector, namely the controlled sector, which, as my colleague pointed out, represents 41% of the children in Northern Ireland.

Mr Craig: I will start off by declaring an interest as a member of the board of governors of Killowen Primary School and Laurelhill Community College, both of which are controlled sector schools.

In fairness, I am also the product of a controlled school and proud of that fact.

I look with envy at the CCMS and how it has supported its sector. I recognise and give cognisance to the fact that there are better educational outcomes in that sector than in the controlled sector. That clearly underlines the need for a sectoral body for the controlled sector.

We cannot continue with the situation of not fully supporting, in every way we can, 41% of children in Northern Ireland. Every report on the controlled sector clearly highlights the underachievement in the sector. Whether you call it a lack of trust or a lack of faith, it does not really matter. That is why we support our amendment No 7, which puts the wording "controlled sector" into the Bill. We dearly want the sectoral support body to be set up and improvements brought about in the controlled sector. I support amendment No 7.

Mr McCallister: There is probably not a huge difference between the two amendments. The one thing that I point out is that the debate clearly points to the lack of trust at the very heart of our Government between the two large parties in that Administration.

The one guide for legislation is that, if there is doubt and you have concerns about something, you are probably better off putting it in the Bill. That is why I am probably closer to supporting the DUP amendment, which is amendment No 7.

Mr O'Dowd: Thank you, a LeasCheann Comhairle. I thank Members for their contributions. I listened to the arguments put forward but remain convinced that my amendment provides the best means by which funding can be provided to a sectoral support body for the controlled sector and, if appropriate, other sectoral representative bodies.

I believe that the concerns raised by Members are taken into account in the amendment; in my written commitments to Executive colleagues at an Executive meeting; through the inclusion of a sectoral body for the controlled sector in DE's corporate plan; and, moving forward, in Hansard.

For the record, I want to make it clear that the debate on the two amendments is not about whether there will be a controlled sectoral body, because there will be a funded controlled sectoral support body in the future. My officials have engaged with members of the controlled sector on how we can move that forward and, as each stage of the Bill is progressed, those engagements will intensify. So, the current debate is not about whether there will be a controlled sectoral support body; there will be one.

To a certain extent, I understand the reassurances sought by Members opposite and by some in the controlled sector, who want the sector to be named in the Bill. They believe that, moving forward, that would give them more certainty. Mr McCallister referred to a lack of trust. No one is naive around these parts. I suspect that there is a lack of trust, but I also suspect that there is uncertainty about the future. They want the controlled sector to be named in the Bill so that, if there is a change in Administration or whatever it may be, there will always be a reference point in legislation to why and how a sectoral support body for the controlled sector will be funded. However, I believe that as the controlled sectoral body builds with financial support from my Department, makes its place known and registers its commitment to education with the controlled sector schools, it will itself ensure its certainty and its funding.

I have accepted the need for a controlled sectoral support body. I do not necessarily agree with comments that the controlled sector had no voice. It was the role of the education and library boards to give a voice to controlled schools. Whatever the strengths and weaknesses of that, I now accept the argument that the controlled sector deserves to have its own body to give it a voice, to support it and to move it forward.

5.45 pm

A number of questions were posed during the debate about the purpose of the amendment. I think that Mrs Overend said that amendment No 6 is open-ended and that you could fund anyone under it. Technically, yes. They would certainly have to represent a sector of grant-maintained schools. If they were seeking funding from my Department, they would have to come forward with a proposal. That proposal would have to pass a business case, so it would have to represent value for money. Obviously, it would then be the decision of the Minister as to whether he would choose to fund that body moving forward. There are already provisions in legislation. Article 115 of the 1986 Order, I believe, allows me to do that anyhow, and we do use it sensibly and sparingly because, apart from the fact that we have significant budgetary pressures, I am conscious of a responsibility to deal responsibly with public funds.

We fund a number of bodies currently. For instance, we fund the integrated sector, which was referred to. It is funded through various articles. It is funded under article 64 of the 1989 Order, but it is not named, in that sense. CnaG is funded under article 89 of the 1998 Order, but, again, it is not named as one of the funded bodies. Other bodies are funded even though they are not named in legislation. There is a plethora of support organisations, particularly in the Irish-language sector, but we only fund one. We fund Comhairle na Gaelscolaíochta. I appreciate that there are fewer bodies in the integrated sector, but, again, we fund one main body to promote the work of the integrated sector. Again, it boils down to business cases and proposals coming forward that we would only require to fund one sectoral support body in the controlled sector

as well. So, I do not think that it opens the floodgates for representative bodies coming forward to say that they expect funding because this amendment is passed tonight.

Some Members referred to the role of CCMS and the role that it has played in improving education, particularly in the Catholic sector. That is very true, and I pay tribute to it for the role that it has carried out in improving educational outcomes not only in the Catholic sector; its input to the broader education debate has been very valuable. It has engaged at all levels of the education sectors and, at times, made interesting interventions. I do not agree with its intervention this morning as it was reported in newspapers. In fairness, I have not read its actual submission to the Committee. I do not agree with it as reported in the media.

Certainly, CCMS has made a significant contribution to education, both in the Catholic sector and across education, and that has come about, yes, as a result of legislation, as the Chair of the Committee pointed out. It has also come about because of the way that CCMS has developed its own organisation, the way it has engaged with its schools and the way it has gained the respect of schools in the Catholic sector moving forward. I have no doubt that the controlled sectoral support body will achieve that. It will take time to build, but I have no doubt that it will achieve those goals as well.

There are still huge challenges in the Catholic sector around educational attainment for young people. Huge challenges exist there as well, so we should not be under any illusions that it is all sorted in the Catholic sector and that everyone else is being left behind. CCMS will be the first to admit that there are huge challenges there, but its work has been vitally important in moving that on.

I have mentioned the role of NICIE in the integrated sector and CnaG. They, too, have spent this last number of years building their organisations and gaining the trust and respect of the various sectors and working with them in the promotion of their various sectors and have done very good work in doing so. It is now the turn of the controlled sector. Once again, I put on the record that, regardless of which amendment passes tonight, there will be a sectoral support body for the controlled sector.

It will be funded by the Department. The terms and conditions of what work will be carried out is reported in Hansard and in the Executive minutes. It will be in my Department's corporate plan. I have no doubt that they will move forward from strength to strength, regardless of which clauses are passed tonight.

Mr Deputy Speaker (Mr Beggs): I remind Members that amendment Nos 6 and 7 are mutually exclusive. If amendment No 6 is made, I will not call amendment No 7.

Question, That amendment No 6 be made, put and negatived.

New Clause

Mr Deputy Speaker (Mr Beggs): Amendment No 7 has already been debated and is mutually exclusive with amendment No 6, which has not been made. Amendment No 7 made: After clause 3 insert

> *"**Funding of Sectoral Bodies***
>
> ***3B**. The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of controlled schools, or any body which is recognised by the Department as representing grant-aided schools of any other particular description ".—[Miss M McIlveen.]*

New clause ordered to stand part of the Bill.

Clause 4 (Amendments, repeals and other consequential provision)

Amendment No 8 made: In page 2, line 15, leave out "negative resolution" and insert "affirmative resolution".—*[Mr Kinahan.]*

Clause 4, as amended, ordered to stand part of the Bill.

Clauses 5 and 6 ordered to stand part of the Bill.

Schedule 1 (The Education Authority)

Mr Deputy Speaker (Mr Beggs): We now come to the third group of amendments for debate, which concerns membership, officers and Committees. With amendment No 9, it will be convenient to debate amendment Nos 10 to 20. Members should note that amendment Nos 11, 12, 13, 14 and 15 are mutually exclusive amendments. In addition, amendment No 15 is consequential to amendment No 14. Members will also note that valid petitions of concern have been received in relation to amendment Nos 11 to 15.

Mr Kinahan: I beg to move amendment No 9:In page 3, line 16, after "Department" insert

> *"on the basis of merit through a fair and open public competition".*

The following amendments stood on the Marshalled List:

No 10: In page 3, line 17, leave out "8" and insert "10".—*[Mr Lunn.]*

No 11: In page 3, line 19, leave out (c) and insert

> *"(c) 11 persons appointed by the Department ("appointed members") of whom—*
>
> *(i) 3 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;*
>
> *(ii) 2 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;*
>
> *(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;*
>
> *(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;*

(v) 1 shall be a person appearing to the Department to represent the interests of grammar schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(vi) 3 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.".— [Mr Lunn.]

No 12: In page 3, line 19, leave out (c) and insert

"(c) 13 persons appointed by the Department ("appointed members") of whom—

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(v) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.".— [Mr Hazzard.]

No 13: In page 3, line 19, leave out (c) and insert

"(c) 12 persons appointed by the Department ("appointed members") of whom—

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(iv) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.".— [Mr Agnew.]

No 14: In page 3, line 19, leave out "11" and insert "15".— *[Mr Rogers.]*

No 15: In page 3, line 30, at end insert

"(iv) 2 shall be persons appearing to the Department to represent the interests of voluntary grammar schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(v) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(vi) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests.".— [Mr Rogers.]

No 16: In page 3, line 30, at end insert

"(d) No less than two of the persons so appointed under paragraph 2(c)(iii) shall be appointed by reason of their being teachers serving at the time of their appointment in grant-aided schools.".— [Mr Kinahan.]

No 17: In page 4, line 41, at end insert

"(9A) A nominated person shall be for a specified period of not more than 8 years and on completion of this period the nominated person shall resign and the vacancy shall be filled by applying sub-paragraphs (3) to (8).

(9B) A nominated person who has resigned after completing the eight year period can be considered for nomination by a party nominating officer after a period of 4 years has passed since the date of their resignation.".— [Mr McCallister.]

No 18: In page 6, line 9, leave out sub-paragraphs (2) to (5) and insert

"(2) An interim chief executive of the Authority shall be appointed by the Department.

(3) Within one year of the date of the first meeting of the Authority, the Authority shall commence a process to appoint a permanent chief executive.

(4) Every subsequent chief executive shall be appointed by the Authority.

(5) The Authority shall not appoint a person as chief executive unless the Department approves the appointment.

(6) A person shall, so long as that person is, and for 12 months after ceasing to be, a member of the Authority, be disqualified for being an officer of the Authority.".— [Miss M McIlveen.]

No 19: In page 6, line 34, at end insert

"(1A) The Authority will appoint a standing committee to encourage, facilitate and promote shared education.".— [Mr McCallister.]

No 20: In page 6, line 34, at end insert

"(1B) The Authority will appoint a standing committee to encourage, facilitate and promote the community use of school premises.".— [Mr McCallister.]

Mr Kinahan: I welcome the chance to put these forward. It is slightly strange when the first amendment, which is ours, is so different from the others. I welcome what we have just heard on the controlled sector body. I am pleased that we seem to be moving towards that. I also welcome the

fact that we seem to be going quite quickly through things. I will do my best to be quick and concise as well.

Amendment No 9 proposes that the chairman be appointed on merit through a fair and open public competition. It is implicit that that would happen, but we would rather make it more explicit to ensure that it happens, so that whoever is appointing is not appointing a lackey. In the vision that I have for the shared future, we will get someone who will drive education forward, someone who wants to make education better for the pupils, rather than necessarily fighting the political battles that we have in here. We need to make sure that it is opened up, it is the best person for the job and it is not a closed shop. Let us start moving everything so that we get a world that works for education. We propose amendment No 9, so, obviously, I support it.

Amendment No 10, which is the Alliance amendment, wants to increase the political names on the board by two. Initially, I looked at it and thought that it seemed right because Alliance is the party that fights hardest for integrated, but do we want more politicians involved? I would love it if it were more UUP members, but it causes me discomfort because there is another side to it: it would be gerrymandering to give another to the DUP. We do not support the amendment; I do not think that we need more politicians on the board. I remember last week the Minister saying, “Let us keep this concise. Let us push it forward and get it working”. We have to keep that in mind. I go back to the point that there are a lot of people missing from the board — we will get into that as the debate goes on — but we do not support amendment No 10 and will oppose it.

Amendment No 11, which is another Alliance amendment, deals with appointing the 11 remaining people on the board. The Ulster Unionist Party, as I have said before, would like to have every sector on the board. I feel that we are losing our way. We keep referring to how things were, whereas we should look at the proportions of how things exist at the moment. The voluntary grammar sector has a very large proportion — somewhere between 40% and 50%, depending on how you count it — of our pupils, and we are not putting them on the board. That very much drives our attitude to many of the amendments: if the voluntary sector is not there, we are not supporting them. It should be there with the right proportions. Equally, we want to see all sides of the community included, rather than having no sides. I would like no sides if we could get there, but it does not seem to exist, so we will go back to making sure that everybody is there instead.

We then have to think about the actual size. Are we getting too big? I suggest that we all use the next two weeks to talk to one another to find a suitable way forward to make sure that we get a board that will work and represent all sectors. We will oppose amendment No 11.

Amendment No 12 is the Sinn Féin amendment. It completely omits the voluntary sector, and therefore I cannot support it. It is essential, and part of our discussion this morning was that we needed to find a way forward of sharing our education. It is not just sharing across religions; it is sharing across types of school. Rather than one side going for one, it is getting everybody working together. We will not support amendment No 12.

I agree with the idea in amendment No 13, but it deals with only one or two sectors. Again, it leaves out the voluntary sector. As I have said, you cannot have that. We have to have a body that represents the schools as they are now and start looking forward. We spend our lives looking backwards, so we will oppose amendment No 13.

Amendment No 14 is the SDLP amendment. It comes closest to exactly what we wanted. When we were preparing our amendments, those are exactly the lines that we were going down. However, there was not enough time because of accelerated passage for us all to talk to one another, so it was better to step back and put in the few amendments that we have done and take these as they happen.

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

I am totally against the use of the petition of concern at any time. I find it really depressing that anyone can use a petition of concern. We are a democratic body. People voted for us and we were elected, and that is how we should be doing things. The petition of concern was to protect the religious side of things. It is just being used by one side to stop things. We need to get into a new world where we are going forward, as I have said. Please let us stop using petitions of concern. I almost think that you should wear a badge of dishonour; it is just not how democracy should work.

We keep referring to 1986. We are now 28 years on from the 1986 Order. Are we not moving forward? Are we not looking for new ways of doing things? Let us keep trying to do it. In all the amendments, there are elements of people just fighting for their own.

Again, I go back to my point that I want to see us sitting down over the next two weeks and trying to find a way forward that will work for everyone.

6.00 pm

I made a speech on Saturday at our conference about the need to be agile and to fit with the way that businesses and schooling must work together to respond to the world. We are so slow in here; we are not moving forward; we are always going backwards. Let us try to find a way so that we are all agile, moving quickly and responding quickly. Despite saying that, this is the amendment that I would like to support. So, we support amendment No 14.

As such, we will also support amendment No 15, which adds in two spaces for the voluntary sector, which I think is right, because there are distinctly two groups. It also adds in Irish and integrated, and that is exactly what I wanted to see happening. This is how we should be going, and I think that that is being generous to the Irish. I was asked last week whether we would be putting Irish in there, and it is absolutely right that we do. Although it is a very small percentage of our pupils, they are the other sector and they should be there. Integrated is likely to be the one that expands, and we need to find a way of putting that change in place for the future. So, probably at the next stage, we will try to put in some review clause that looks at the numbers on the board being reviewed every five to 10 years. I would like to find a way forward, so we are working on that.

Amendment No 16 is our own amendment. It asks for no less than two teachers. Something that I have been very aware of, particularly after going to one school, is this: one of the more experienced but younger teachers said that many of the older teachers did not know how to use technology, did not know how things were working and that

they were not totally au fait with many of the new ideas coming from other places. We need to find a way that does not bin the past and the experience but, equally, sucks in how we can all work together. I thought that one way was to get practising teachers on the board at the same time. There will be many there who will have experience through CCMS, or transferors and others, but, in most cases, they are all people who have been and done it in the old ways. I want to get a little bit more youth into it so that we understand the technologies of where we are going in the future. That was really what was driving me there. I think that we should have serving teachers involved so that we know about the things that are going on in schools at the very time.

Through amendment No 17, John McCallister is looking to specify the period for eight years, which I think is very, very sensible. We should support it. I am tempted to call it the Obama rule with the two American periods for the president. I think that it is right to limit it. I am slightly more concerned with the second half of the amendment, where you get to having been out for four years. I think that we should be looking to find a way to make sure that the person is still interested or involved in education or has the experience. Another question may need to be asked to make sure that they have not just gone away and lost interest and got out of touch. Otherwise, we support amendment No 17.

Amendment No 18 is the DUP amendment about the interim chief executive. It talks about the chief executive being appointed by the authority after a year. I think that that is very sensible and absolutely the right way forward. Again, get the authority to appoint them so that we move on in a world where they are building it with less political deadlock.

Amendment No 19 is Mr McCallister's amendment, which would appoint a standing committee to encourage, facilitate and promote shared education. Of course I support that. It is extremely good, and I think that we should be looking at some of the other recommendations that came from the body to see whether there is a way of building on that so that we put in some of the targets, timelines and the other things to make sure that shared education happens. We will support amendment No 19.

Amendment No 20 is the same thing. It encourages the use of school facilities and suggests a stranding committee to do so. I listened to the points made earlier. I struggle with it slightly, and I can see, as Mr Rogers said, it putting more pressure on the principals and the schools. It will vary throughout all the schools depending on whether the problems are insurance or whether too many other facilities would be better somewhere else, but it is the right way forward. As we build new schools and as we do it, it is the right thing to do. So, we will support amendment No 20.

As I said, we need to find a way forward to get all the sectors involved in a proportionate way and build so that we have something that works for the future. That means that the Ulster Unionist Party will support amendment No 9 and amendment Nos 14 to 20 but oppose amendment Nos 10 to 13.

Miss M McIlveen: As I outlined earlier, it is vital that the integrity of the 1986 order is protected. That Act set out the make-up of the boards on a 40%, 40%, 20% basis. This Bill is for the replacement of those five boards with a single authority, and it is no more than that. In those circumstances, the make-up of the authority should reflect those of the boards. It is for those reasons that we have tabled petitions of concern in respect of amendment Nos 11, 12, 13, 14 and 15. I said earlier that the Bill is not ESA by the back door, and I would certainly not like to see it being ESA by amendment either.

Amendment No 10 is one of self-interest for the Alliance Party, to gain a place on the authority. Despite the fact that, as Mr Kinahan pointed out, on party strength in the Assembly, the DUP would actually be a beneficiary of an additional place on the authority, we do not believe that we can support amendment No 10 either, particularly if we are to remain consistent in our approach to the integrity of the 1986 order.

The DUP is happy to support amendment No 9 as tabled by Mr Kinahan and Mrs Overend. We have consistently fought for and sought assurances that appointments are carried out in a thorough and fair, open process.

The DUP recognises that, with the existing time constraints, it would be impractical for the authority to be in place to make the appointment of the first chief executive. However, we do not feel that it is appropriate for the Department to appoint the first chief executive and then for them to be in place for maybe 10 to 15 years. An authority that sets the strategic agenda will want to have a chief executive that it feels will be capable of delivering that agenda. To ensure that the authority will have confidence in its chief executive, it should have a say in who that will be in the longer term.

The appointment of a chief executive is a key role that is played in many boards and should not be denied to the Education Authority, particularly at an important juncture when so many potentially seismic changes are coming through area planning and shared education. For that reason, amendment No 18 sets out a process by which that can be achieved. The interim chief executive will be in place to steer the authority through its initial period, but within one year the authority will begin the process to appoint a permanent chief executive. That will mean that there will be stability through the process of the establishment of the authority and for a reasonable time following that to ensure delivery. I feel that that process will also ensure public confidence in the appointment process, and I commend the amendment to the Assembly.

My party and I are happy to support amendment No 16. The voice of the teacher is often lost on such boards. I know that teachers did historically have a place on some education and library boards and made a valuable contribution to the discussions. I believe that that would be similar in this instance, and I think that it is important that they are there. Practical, hands-on experience of the impact of decisions is a valuable asset on any board, and the amendment would ensure that that voice is heard.

As I indicated earlier, we will support amendment Nos 19 and 20 as tabled by Mr McCallister. Unfortunately, we do have concerns about amendment No 17 as tabled by Mr McCallister. He has enjoyed a good run today, but sometimes good things come to end. We seek some clarity on it. We do not really feel that it is appropriate to limit the nominated persons on the authority to eight years. The proposed eight-year cap would evidently not apply to any other person serving on the board, only to those

nominated by parties. I need to get clarity from the Minister as to whether that would extend to the other appointments and whether that would cause some sort of disparity among those on the board. If that is the case, we feel that it would be an effective guillotine on some of the experience and expertise that there might be, particularly if, after eight years, members left in one fell swoop. However, obviously that will change with party strengths, so, in many respects, there may be a natural change anyway.

As I am conscious of the time, I am happy to conclude on those remarks.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. I will start with amendment No 17, which Miss McIlveen has just concluded on. I find myself in almost total agreement with everything that she said. We will oppose amendment No 17.

I will go through what Sinn Féin is going to do on these amendments. We will support amendment Nos 9 and 10; we oppose amendment No 11; amendment No 12 is our amendment; we oppose amendment Nos 13, 14, 15, 16, 17, and 18; and we will support amendment Nos 19 and 20.

I will start at the end. Some may say that there is a contradiction in our position given that, earlier, we opposed amendments on shared education and encouraging schools to open their premises to the community. These two amendments place no statutory duty on the board or the Department about encouraging, facilitating and promoting shared education or the community use of school premises. We feel that setting up a committee to encourage, facilitate and promote shared education would be a help in bringing forward the shared education Bill, on which work has begun. On that basis, we will support both those amendments.

I will go through the amendments in order. Amendment No 9 is for appointments to be made on the basis of merit through a fair and open public competition. We are happy to support this amendment. I think that it is probably totally unnecessary because all appointments will be made in the way that the amendment describes, but we are happy to support it anyway.

Amendment No 10, tabled by the Alliance Party, would increase the number of political representatives on the board from eight to 10. I think that, on the basis of fairness, the Alliance Party should have a seat on the board and that it is unfair that the Alliance Party is excluded. I say that in the knowledge that the DUP would increase its representation on the board. However, in the interests of inclusivity, we will certainly support amendment No 10.

Of amendment Nos 11, 12, 13, 14 and 15, we think that our amendment is the best. It is the most inclusive. It does not include the voluntary grammar sector for a good reason. I said that I would be open to persuasion on the inclusion of voluntary grammar schools on the board. I have not been persuaded of that. I do not think that the argument is particularly strong. The voluntary grammar sector cherishes its voluntary status. It makes no sense for that sector to be on a board that is administering funds for other sectors. In my view, that is a good reason for not including it on the board.

Mr Kinahan: Will the Member give way?

Mr Sheehan: Sure.

Mr Kinahan: Thanks very much. Do you not realise that, although the board may be talking only about money that is going to other people, it does affect that sector because it all comes out of the same pot? So many decisions made by that board will affect the voluntary grammar sector that the logic is to include it. I go back to the point that it should be given proportional representation. If it comes to something that is nothing to do with that sector, maybe it should say, “Excuse me from this meeting”, and then step out, which is what we all should do when we declare an interest. There are ways to do it, and it is better to include the sector than to exclude it.

6.15 pm

Mr Sheehan: I am not so sure that a lot of what would be discussed at the board would affect them, because their dealings would not be with the board. Voluntary grammars, as I understand it, deal directly with the Department, although I stand open to correction if I am wrong on that. That is another good reason why voluntary grammars should not be included on the board.

Steven Agnew’s amendment No 13 is, again, not inclusive because there is no mention of Irish medium having a seat on the board. For that reason, we will oppose that amendment.

Mr Agnew: I thank the Member for giving way, and I acknowledge his point. I recognised that, in the first group of amendments, others brought forward amendments to include the Irish-medium sector, which I supported. For that reason, I will not be moving my own amendment.

Mr Sheehan: OK. I thank the Member for that intervention.

Amendment No 16 suggests that two persons should be appointed by reason of being teachers serving in grant-aided schools at the time of their appointment. I am not saying that teachers could not fulfil that role, but teachers are trained to teach; it does not necessarily qualify them to go on this board. A lot of people could argue that the people appointed by political parties would not necessarily be qualified either. However, I am not sure why we should specifically mention teachers, as opposed to, for example, classroom assistants, other educationalists or an accountant. The mention of teachers limits our opportunity to appoint from a broader spectrum of people with expertise in operating a board.

I have dealt with amendment No 17. Amendment No 18 is on the issue of the appointment of the interim chief executive. To some extent, I again find myself in agreement with the DUP that there is a need for stability and for the new board to have strategic direction. The Minister has already agreed that the person will be appointed in an interim role, but I think that that requires a minimum of two years, and that is not spelt out in that particular amendment.

I think that I have covered all the amendments, so I will finish on that point. Go raibh maith agat.

Mr Rogers: I will be as brief as possible as well. The SDLP has emphasised how critical it is for the authority’s board to accurately reflect our unique education landscape. That landscape has changed considerable since 1989 and will no doubt change considerably more over the next 25 years.

Like others, I am concerned about the use of so many petitions of concern. Listening to the Member who has just

spoken, I think we should find good reasons for inclusion rather than exclusion. I am just thinking of a couple of towns, one of which has four grammar schools and three non-grammars. Surely if you are planning future education provision there through area planning and that, everybody needs to be around the table. Think of another town that has a maintained primary school, a controlled primary school, an integrated school and an Irish-medium school. If you are thinking of future planning in that area, you really need everybody around the table.

On the amendments, very quickly, it is worth stating about amendment No 9 that all appointments are based on merit and made through open public competition. I understand that the reasoning behind amendment No 10 is to ensure that as many political parties as possible are represented on the authority. However, it is a strategic education authority.

With due respect to all my colleagues around the Chamber this evening, who knows the education system best? Our Politicians or our educators? I say that we should not make the imbalance worse.

Amendment Nos 11 to 15 are subject to a petition of concern, but I would support amendment No 11 as a second preference to ours as it gives representation to all sectors. However, it would mean a reduction in controlled sector, maintained sector and community representatives. As I heard other Members saying, there are so many aspects to be facilitated, particularly of the controlled sector and the community, that that could be problematic.

To my mind, amendments No 12 and 13 leave out at least one important sector. The level of representation proposed fails to create a relevant and fairly constituted board.

As to amendment Nos 14 and 15, rather than altering the proposed membership, we believe that four additional seats should be created on the authority: two for voluntary grammar; one for Irish-medium; and one for the integrated sector. As well as easing competition for the community representative places, it is essential that all sectors, particularly those that educate over 50% of our post-primary children, are represented. The Bill is about children. It is about creating the correct educational opportunities for our children. We must keep that in mind.

Amendment No 16 would ensure teacher representation on the authority, which could only be good. We are happy with and will support amendment No 17. Amendment No 18 proposes:

> *"An interim chief executive of the Authority shall be appointed by the Department."*

It goes on to propose that the authority will subsequently select its own permanent chief executive. To me, that makes good sense. Finally, we support amendment Nos 19 and 20.

Mr Lunn: I will go through the amendments in much the same way. Amendment No 9 addresses the need to appoint:

> *"'on the basis of merit through a fair and open competition'".*

Frankly, in what other way would the Department or the Minister be allowed to appoint? I agree with others that it makes no difference whatsoever, so we will happily support it. Amendment No 10 is our proposal to increase political membership to 10, which is designed to bring the Alliance Party or someone whom we nominate on to the authority. I refer to the precedent of the Policing Board, which has 10 politicians representing all five Government parties. Our amendment would even give the DUP an extra member — every silver lining has a cloud. I am not sensing enormous support for that amendment, but I want you all to think about it all the same because I think that we have a right to be there. I will leave it at that.

There is a plethora of amendments similar to our amendment No 11, each giving an individual party's thoughts on how to make up a board. We tried not to increase the size of the board by too much, so it would go up from 20 to 22, and we had to adjust the transferor and maintained schools figures, each down by one. However, we think that that would provide a balance to the board.

Some people say that 22 is too many, but the SDLP's amendment goes beyond that by bringing the number up to 24 or 25. There are several points to be made here. The only board that I had any great dealings with over the years was the much-lamented, but not missed, South Eastern Education and Library Board. That was a board of 20 to cover just one educational area. I fancy that the Belfast Education and Library Board has even more. Tot up the number of people on the five boards that we have at the moment. The other day, someone gave a figure of 60 to the Committee, but I think that that was on the low side. It is more like 80 to 100. If we can get that number down to 22, 20 or 23, so what? I remind Members that this board started in Caitríona Ruane's time, when it was supposed to be the ESA board of seven members. I remember being castigated, right, left and centre, for suggesting that that was a bit too small. I see you laughing, Chris, but it was before your time. It really was just too tight for something as ambitious as ESA.

With regard to the question about the voluntary grammars, I will say this: nobody fought harder against ESA than the voluntary grammars and the Governing Bodies Association on their behalf. They also made it absolutely clear that, if ESA came about, they wanted a place on the board. That was unequivocal.

Mr Kinahan: Will the Member give way?

Mr Lunn: Yes.

Mr Kinahan: I just feel that that is slightly unfair on the voluntary grammars. They obviously wanted their position on it, and they were not included. That is why they were fighting it. I think that we need to accept that. They wanted to be part of the system. They were not fighting against everyone else but to be included.

Mr Lunn: Yes: I think I got that. I think that you are actually saying the same thing as me. If ESA or a similar-type body, such as the one that we are now discussing, were to come about, I think that, in the light of the number of pupils and the percentage of the school population that they represent, the voluntary grammars would want a place on it. It amuses me slightly that the Alliance Party is promoting the cause of the voluntary grammars to have a place on this board, but I think that it is fair.

You will notice that our amendment does not actually say "voluntary grammars", but "grammar schools". The reason for that is that there is also the section of controlled grammar schools. It is a moot point as to whether the

controlled grammars have the greatest affinity with the controlled sector body or the voluntary grammars. I think that they have synergy with both. For that reason, we are quite happy just to leave it there with "grammar schools".

I really do not think that a 22-person board will rock the universe. I think that it is still within the range of what is acceptable. In a way, it does not really matter what I think, does it? We have yet another petition of concern. The same applies to amendment No 12. Who has proposed this one? It is the Sinn Féin one, which does not refer to grammars at all. There we have a difference of opinion.

All of these amendments in this respect are petitioned by our good friends over here. Maybe we need to get together between now and the next stage — at least, some of the parties — and see whether we can come up with a compromise selection that is representative and does not offend anybody. I think that it can be done. It may well be a challenge for the DUP Members over here as to whether they can run with something like that. At least, we should put it before them. Clearly, none of these amendments will pass tonight.

Amendment No 13 was Steven Agnew's. I think that he will not move it, so I will not comment on it.

The SDLP amendment would have been our next choice, frankly. It is fair enough. It includes voluntary grammars, but also Irish-medium and integrated schools, so that is OK.

Amendment No 16 is the one about teachers. I have no objection whatsoever to teachers or representatives of the teaching profession having a place on the board, but I think it ties into what we eventually decide about the make-up and size of the board. I would keep an open mind on that. I have to oppose the amendment as it stands. I am open to persuasion that there might be a place. If you are talking about two teachers, and there are only three community places, that balance is not right. If it were one teacher and four community places, and if the other bodies that we would like to see represented were already in there, then we might run with that. There is certainly no harm in having people from the chalk face feed into a board like this.

Mr Sheehan: Will the Member give way?

Mr Lunn: Yes, sure.

Mr Sheehan: I am just wondering which sector that teacher would be from.

Mr Lunn: I do not know. I will move on. *[Laughter.]* Well, I think that the point of having a teacher there is to provide a teacher's background, expertise and chalk-face experience. On that basis, I do not think that it really matters too much which sector the teacher comes from if you get the right teacher, principal or whatever.

Mr Kinahan: Will the Member give way?

Mr Lunn: Yes, go on.

Mr Kinahan: I do not want to prolong this too long. I sat and thought about this over the ESA Bill, trying to think of different ways to ensure that we had that sort of hands-on experience. I was looking at whether we should ask CCMS for one of theirs to ensure that they always had a practising teacher there or whether the controlled sector would do it. I thought, right, this time, let us just put in a broader one, and then we can try to work it, but, again, it comes back to the point that we all need to start talking to each other and find a solution to it. It is a sensible idea. How we actually fit it is difficult.

6.30 pm

Mr Lunn: I thank Mr Kinahan for that. I would not be one bit surprised if we were to see two amendments next time: one of which says that we need a teacher from the controlled sector and another that says we need a teacher from the maintained sector. However, we will see whether we have learnt any wit in the meantime.

Amendment No 17, proposed by Mr McCallister, is about the eight-year period. We are not that keen on this because we think that it is up to parties to nominate their own people. If someone has finished their eight-year term and is doing a terrific job, maybe that party does not have an ideal replacement. It seems a bit prescriptive to say that you have to come off the authority for four years and then you can go back on. So, we do not want to support that.

We agree with amendment No 18 about the interim chief executive, the DUP will be delighted to know. However, I have a query. Pat Sheehan raised the point that, officially, an interim chief executive may have to be appointed for two years. I would like to hear what the Minister has to say about that. I would not get too hung up about whether it is one year or two; if the rule says that it must be two, or if it needs to be two to get the right person, let us go for it. If it can be done for one year, that would allow the authority to bed in and then be in a position to appoint its own chief executive.

Amendment Nos 19 and 20 relate to the standing committees to encourage shared education and the community use of school premises. I must say that I am very surprised that Mr McCallister has not suggested a standing committee to encourage integrated and Irish-medium education.

Mr McCallister: I was leaving that to you.

Mr Lunn: No, I do not approve of these measures. If you are going to set up a high-powered authority to run the whole education system across the Province, I really think that you should be able to trust it to sort out its own system of standing committees. I doubt whether the authority would come up with a proposal that it needs a standing committee to encourage, facilitate and promote the community use of school premises; I think that it might have different priorities. The authority will already have what is in the Bill previously, — I forget the wording of it; those were your words — to promote, facilitate and encourage the use of school premises for community purposes. I think that that is probably good enough.

The same argument applies to amendment No 19, about shared education.

Mr McCallister: I am grateful to Mr Lunn for giving way. There are lots of examples. The Executive break into Executive subgroups when they want to keep a focus on something. This is a way of making sure that something happens with the amendments that we have already passed, and that there is a focus on, and a mechanism for, delivering some of those outcomes.

Mr Lunn: That is fair enough, and I am sure that the authority, as it develops, will establish subcommittees as it goes along. However, there are a lot of subjects out there

that are very important. What about a standing committee on area-based planning?

Mr Kinahan: *[Interruption.]*

Mr Lunn: Yes, but there is any number of subjects. I say, just leave it up to the authority; do not tie their hands and insist they must set up particular standing committees in this way.

Amendment No 20 is the last for now. Those are our views on the situation.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I am aware that time is moving on fast, so I will try not to go over any of the ground that my colleague Pat Sheehan has already been over. He outlined our position on amendment Nos 9, 10 and 11.

Let me touch on Sinn Féin's amendment No 12, which would give representation on the board, as of right, for the integrated and Irish-medium interests. We feel that it is correct that, if transferors and trustees have a place on the board, so too should those who represent the interests of Irish-medium and integrated education. Mr Sheehan rightly outlined the pros and cons around a place for grammar schools. Indeed, putting in place something for grammars would be a replication; they can get on through the transferors anyway.

I will touch on the voluntary grammars later. I have been lobbied by Irish-medium and integrated education groups, but I have not been lobbied by voluntary grammars for a place on the board. I know that other Members may have. Obviously, it is their prerogative to bring forward amendments, but there is something about the voluntary status and the principle that they follow that separates that out.

Granting membership on the board to Irish-medium and integrated interests would provide a clear indication that the Department recognises and cherishes the statutory duty to facilitate and encourage Irish-medium and integrated education. It would also send out a timely signal to all in our society that the Assembly cherishes every sector that educates our young people. I repeat what I have said today: some in the Chamber may believe that a fair playing field can be achieved by erecting hurdles and laying down petitions of concern; however, all that does is copper-fasten division, fear and suspicion. We should be looking to be more inclusive. We have missed an opportunity today to show support and demonstrate confidence in Irish-medium and integrated education, and even in the controlled sector. We could have walked away from here today with everybody being winners, but, unfortunately, a whole raft of petitions of concern has scuppered that possibility.

I will not dwell too much on amendment Nos 14 and 15; Mr Sheehan outlined our thoughts on those. Amendment No 16 proposes that there be two automatic places for teachers on the board. It will be difficult enough to squeeze a fair representation of society into four community places. If you automatically give two of those to teachers, it will prove to be impossible and entirely inequitable to reduce that to two. Again, as has been touched on, why two teachers? Why not two principals, caretakers or bursars? If the authority is about strategic oversight and a vision, why would you automatically include teachers? There has been talk about not overburdening principals and everything else. We hear about the pressures on teachers, and yet we are going to select two teachers to go on to that body as well. We have to bear that in mind.

In saying that, I recognise entirely that, in large sections, be it health or education, we need to take the opinions of those who work at the coalface right into the consideration room. I am not necessarily sure that that means that you have to appoint somebody to the board to do that; there are other ways of doing it. A new authority should be cognisant of the fact that the views of teachers are paramount, but that does not mean that we should automatically give them 50% of the community's representation.

As my colleague outlined, we will oppose amendment Nos 17 and 18. As has been outlined by many Members, political parties should be left to their own discretion to select their nominees. The Member who spoke previously talked quite well about experience in a particular party. As for amendment No 18, I do not see the point in establishing a board and then, within a year — the amendment does not say "at least a year"; it says "Within one year" — a process will begin to appoint a new chief executive. I would like to see an authority being given a year to bed down and set a strategic programme of work. As far as I remember — the Minister can confirm this — it was outlined at the Committee that it was a two-year period. A two-year period would certainly be more favourable than "Within one year".

Finally, I am more than happy to support the establishment of standing committees to look at the community use of schools and shared education, although I take on board much of what Mr Lunn said about the authority being able to set its own programme of work. Go raibh maith agat.

Mr Craig: Frankly, I find it impossible to argue against amendment No 9; there is a lot of common sense in the statement. The fact that it is there is good. If it were not there, I would like to think that those principles would have been applied anyway. Therefore, we will support amendment No 9.

Mrs Overend: Will the Member give way?

Mr Craig: Yes.

Mrs Overend: I thank the Member for that comment. Does he agree that, if there is fair and open competition, there might be more of a possibility of a woman getting the job?

Mr Craig: I do not know what to say about that that will not get me into trouble, so I am just going to go silent on it.

If it is fair and open, it is possible for everyone and anyone to get that job.

Amendment Nos 10 to 15 are the ones that I find fascinating, because in them we see the wish lists for the sectors of those who tabled them. That is the difficulty I see with amendment Nos 10 to 15: they represent everybody's wish lists. We are back to a lot of the arguments that we witnessed when we were debating the ESA Bill. On balance, there is a structure in the Bill that I have accepted and all of us welcomed, and we will keep that balance and not bow down to the wishes of each Member of the House and whatever vested interest they have in some of the other sectors. That is largely where we are coming from on those amendments.

Amendment No 16 argues for the inclusion of two teachers. I am supportive of that for a very simple reason: no board of governors in Northern Ireland sits without a teacher representative on it, so teachers do participate in the

management of our schools. Therefore, logically extending that, why should they not have a place or position in the overall management of the school estate? I have absolutely no difficulty with that. Sometimes in life, those who are at the coalface and see the real issues never get an opportunity to interface at a level where they can bring about obvious changes that they can see the results of on a daily basis. Amendment No 16 makes an effort to rectify that by allowing those at the coalface to sit up with those who manage the estate and give them an opportunity to bring their common-sense approach from the coalface to that board. That is something that I strongly welcome.

Amendment No 17 and the issue of the two terms has been discussed. We will use that word "equality". If it does not apply to all members, it is fundamentally wrong. That is the only issue I have with that amendment. If it applied to all members, it would be fair enough.

Mr McCallister: Will the Member give way?

Mr Craig: I certainly will.

Mr McCallister: The Minister might well refer to this, but other members who are appointed would be subject to the public appointments process. It is in the guidance for public appointments that there is a limit of two terms. While it would not be enshrined in law for two terms, it would be if the amendment was passed for political members and it would be in the guidance for other appointed members.

Mr Craig: I thank the Member for pointing that out. I will listen with interest to see what the Minister has to say with regard to that. I am not convinced that that is the case, but we are here to be convinced. That is what the debate is all about.

Amendment No 18 is our clear attempt to bring about a fair, open and transparent process that allows the board to have its say in the appointment of the chief executive. I think it was my colleague from Lagan Valley Mr Lunn who asked whether it would be one year or two years. All we are saying in the amendment is that the process of replacing the interim chief executive should start after a period of one year. I have seen these processes, and they can last a month, three months, six months or even a year, which would give the Minister his two years. That is a matter for the board itself.

Mr Sheehan: Will the Member give way?

Mr Craig: Yes.

6.45 pm

Mr Sheehan: I seek some clarification on what you just said. You said that after a year, a process should begin. The amendment states:

> *"Within one year of the date of the first meeting".*

"Within one year" could mean anything; it could mean nine months, six months. That is an issue.

Mr Craig: I do not think that it is an issue. We are clearly saying that the board should make that judgement call about its level of preparedness. Only the board could make that call. "Up to a year" is the actual wording. If it meets monthly, from its first meeting until its twelfth meeting, the board has the flexibility to decide whether it is ready to replace the appointed chief executive. I doubt that that will happen within the first six months. I doubt that it will happen within the first nine months, to be honest with you, because there will be so much infrastructural and organisational change within that time.

Mr Storey: I thank the Member for giving way. It might be useful if the Minister could confirm later on the modalities in relation to the issue. If we had an appointment by the Minister, would it be an accounting officer of the Department? If so, does that bring into serious question the relationship between the Department and the structure of the board, which is set up, as we have been debating all day, on the basis of the 1986 Order?

Mr Craig: I thank the Member for his intervention and wish the Minister all the best in answering that question. I look forward to hearing that answer.

The flexibility is there for the board to make its own appointment within a year or to start the process and not necessarily make the appointment within that year.

In amendment Nos 19 and 20, the Member is putting in mechanisms for action to be taken on shared education and community involvement in the school estate, both of which I strongly support. I understand his wish to see such action.

Mr Agnew: We have various amendments on the make-up of the board. As was alluded to, a lot of these discussions probably took place over the ESA Bill. I was not on the Committee, but I have no doubt that they took place.

In terms of principles, the DUP has sent out a clear message today that it does not want to see the integrated sector have any representation on this board. I have yet to hear a DUP Member justify that. Again, apologies: I should declare my interest as a director of NICIE. They have been given alternatives that they could support. Every amendment includes representation for integrated education. From listening to Mr Kinahan, although there is not a UUP proposal, it sounds like that party's proposal would be to have representation for the integrated sector. We have every party in the House, with the exception of the DUP, acknowledging that the integrated sector is an important part of our education system and should have a voice on what has been described by the Minister as the strategic body for the future of education in Northern Ireland. I fail to understand why the DUP is so opposed to this proposal and so set on the make-up of the board as it is in the Bill. Only it can answer that.

The Green Party welcomes the cross-party support for integrated education that is recognised in the amendments. I will use the excuse of the short timeline that we had to get in amendments, but I recognise the failure of our amendment to include the Irish-medium sector, and, for that reason, I will not move our amendment.

I am not opposed in principle to any of the other amendments. However, I favour the Alliance amendment in that it would change the way in which we have done things. We have a new Bill and a new authority, and we do not have to do what we did before just because it is the way we always did it. The amendment would bring in the Irish-medium and integrated sectors without increasing the size of the board and reduce by one the number of places for the transferors of controlled schools and the trustees of maintained schools. If we believe in moving away from a segregated sector — I have clearly stated that I do — this is a step. It is small step but a good step. For that reason, I

will support amendment No 11 tabled by the Alliance Party, which deals with the make-up of the board.

That said, the Alliance Party also proposes to increase political representation by two to ensure that it has representation. I have heard why that is fair to the Alliance Party but not why it is good for determining the future direction of our schools. It would probably be good for the Alliance Party to be there, because, of the five parties of choice in the Executive, it has promoted integrated education most strongly. I would welcome that voice being there. However, if we were to increase the size of the board to make sure that the Alliance Party is there, I cannot help think, "Why not increase it a little more to make sure that the Green Party is there too?". I am certainly not opposed in principle, but I am not sure that it is necessary.

It is clear from the debate that each proposal for who sits on the board is a little about power and control. Too little has been said about what is good for our education system, and I acknowledge my own fault in that. Nobody in all this has really lobbied for academic excellence, research, evidence-based decision-making and who could best provide that. I am not sure that increasing the number of political parties or sectors on the board will give us that. It is typical of Northern Ireland politics and always seems to be reflected in our education system that it is about how we can share it out, equally but separately.

That said, I support amendment No 11, followed by amendment No 12 and the SDLP proposals on the make-up of the board. I also support amendment No 9. It explicitly states what is probably assumed. I have made my views on shared education pretty clear. However, given the amendment that was passed in the first group, I am certainly not opposed to a standing committee either for shared education or for the community use of schools.

The DUP has an amendment on the interim chief executive. I was compelled, to some extent, by the Minister's argument for two years. He can correct me if I am wrong, but it seems to be, "Trust me, I'll have somebody in place within two years". This amendment is a solid proposal for starting a process within one year. I do not see a huge conflict between the two positions, so I am happy to support amendment No 18. Given my understanding of the processes, I see no problem with Sinn Féin coming back and inserting the word "two" instead of "one". If that is competent, I have no problem with it.

I turn to the issue of teachers. I support the principle. It appears that teachers would take up two of possibly four places, depending on how many amendments pass, but there are petitions of concern, so none of them will pass. I support the principle of having that, but not one of the bodies that are representative cannot appoint teachers themselves. I support the principle and think that a message has been sent out, but there should be an onus on those who are appointing people to the board, whether it be parties or the Department, to bear in mind the principle that teachers should have a say.

Mr McCallister: I will work my way through the amendments. Again, it is a shame that, given the number of choices that we have been presented with on the make-up of boards and who should be on it in various amendments, that has not been allowed to work its way through an Assembly process where it can be debated — you argue your case, put it to a vote and see what gains support.

I will start at amendment No 9, standing in the names of Danny Kinahan and Sandra Overend. It states that the chair of the authority is to be appointed on merit in an open competition. That is an eminently sensible amendment and something that we should all want to see encouraged in any appointment. Like others, I am happy to support that.

My difficulty with amendment No 10 — not to be too hard on Mr Lunn — is that it is maybe slightly self-serving to increase the size of the board to get your party onto it. I have this thing about the sense of entitlement — it sometimes applies to being in government here — and I think that it is detrimental. I am not convinced that increasing the size simply to get an outcome or to bring someone into that is a particularly good way of doing our business. The other option would be to do better in elections, and that applies to all of us. Mr Agnew was looking for a place: I suspect that, to get you and me onto it, Mr Agnew, it might need to be increased significantly. I am not proposing that at any point, but I have a concern that an amendment like that can become a little self-serving, and that is why I am reluctant to support it.

Amendment No 11 is from the Alliance Party. My one problem with it — others have made the point — is that it is not specific about voluntary grammar, because there would be grammar representation coming through the controlled sector anyway.

The amendments in the group can probably all be counted as being mainly on the same issue. Sinn Féin's amendment No 12 adds in the integrated and Irish-medium sectors. That is a sensible amendment that I have no issue supporting. I have a note on the Green Party's amendment — why not include? — but Mr Agnew has already dealt with that point. Amendment Nos 14 and 15 are SDLP amendments that, taken together, are about appointments and add in the voluntary grammars and Irish-medium. SDLP or Sinn Féin? The SDLP one is possibly the better amendment. Again, it is a dreadful shame that we are not debating the merits of the amendments without, effectively, the guillotine hanging over them. It is a pity that we are not doing that.

Amendment No 16 is a UUP amendment on community appointments to be teachers. Many people are happy for that to go ahead, and it is an important and sensible move.

The amendment standing in my name is more or less a term limit. My reasons for it are really to avoid the almost perpetual political favour whereby you can get appointed and, as I said in an earlier intervention to Mr Craig, that the Minister's code on public appointments recommends that.

So, why not put it in the Bill for political appointments? I know that some are reluctant to do that, but I think that they should serve for two terms and then come off of a term. Mr Lunn's argument against it would be this: what would happen if a political party had no one else suitable? It would a fairly poor political party that qualified electorally but could not find someone else to fill that spot after eight years.

7.00 pm

I just think that it is a better way of keeping the board fresh. I did not want to be too prescriptive in the amendment, but, when the board is established, I want it to stagger

elections or appointments so that you do not end up with the entire board changing at the end of an eight-year period. It is an amendment designed to keep the board fresh and stop political appointees being there forever. It is also in line with the guidance on public appointments that the Minister referred to, so it would be a sensible amendment for the House to make. I strongly hold to that, and I think that it is better for any organisation to have an element of freshness or newness at any given point. I would like to see that.

Amendment No 18 is a DUP amendment concerning the interim chief executive. As others said, it is a sensible amendment and not desperately far from where the Minister wanted to go. Mr Sheehan raised a point about whether the period would be two months, three months, six months or nine months. It would just mean that, at some point, maybe after 364 days, the process would have to get under way. Too many times, there have been difficulties or delays in getting the process started, so I think that it is sensible to put in the Bill that the process must start after a certain time and be run for a certain time. In appointing someone at the level that I suspect the board or the authority will look for, it is more likely to be a lengthy process. Other large public authorities such as Northern Ireland Water have had difficulties in getting a chief executive. So, I think it is a sensible amendment.

I move on to my amendment Nos 19 and 20. The Assembly has before it amendments on shared education and the need for the community use of schools. I think that the committee proposed in each of my amendments is a vehicle that can start to drive that change. The Minister was reluctant to support earlier amendments, but this is a way to drive some of that. I hope that this could help to drive forward the Minister's shared education agenda and that there is much more progress when the Education Authority is established and in the years to come than there has been in years gone by. We really want to see that.

We have talked about the community use of schools and mentioned David McNarry's Bill. I think that it is about three and a half or four years since that Bill was talked about in the Assembly. Yet, as Mr Craig said, the community use of schools is very patchy across Northern Ireland. We have to change that and use those facilities. In difficult budgetary times, we want schools to be at the very centre of our communities, and the proposed committee could do that. With that, I conclude.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I do not oppose amendment No 9, which seeks to insert a requirement that the chair be appointed:

> *"on the basis of merit through a fair and open public competition"*

However, the question that I ask its proposers is this: how else did they think that the chair would be appointed?

It is quite clear, both in the original clause and in all employment legislation and rules under the Commissioner for Public Appointments etc, that the chair could not be appointed on any basis other than on merit through a fair and open public competition. In my bid to win the trust of the Ulster Unionist Party, I am not going to oppose this amendment.

Amendment No 10 seeks to increase the political membership of the education authority from eight to 10. Again, I am supportive of this, not on the basis that it gives the DUP another member but that it gives the Alliance Party representation on the body, and I think that is inclusive. We have striven to create an inclusive society, so it is only right and proper that the Alliance Party is given a seat on the board.

I do question some of the commentary around, "Why give more representation to political parties?". I am proud to be an elected representative. I am proud to be a member of a political party, and I do not think that we should run down politics so easily or quickly. Political parties and politicians stand before the electorate and are elected or not elected, whatever the case may be. Once you are elected, and once your political party carries a mandate, I am of the firm view that that should be respected. Those who criticise from the sidelines and those who are paid to sit in studios and criticise the actions of politicians should, in my opinion, put up or shut up and go and stand for election and see whether their ideas on how society should be run are welcomed by the people. If they are, they are more than welcome to tell me how to do my job. I think that no harm is done to the Bill — in fact, I think that the Bill is improved — by the representation of all of the Executive parties on the body.

I turn to amendment Nos 11, 12, 13, 14 and 15. I acknowledge that Mr Agnew has withdrawn amendment No 13. With regard to amendment Nos 11, 14 and 15, I have listened to the arguments that have been put forward by my colleagues on these amendments, which seek, through a range of permutations, to alter the composition of the membership. However, I cannot support them. I am strongly opposed to any reduction in the number of transferors and trustees, as they represent the majority of our schools and, as such, this needs to be reflected in the membership of the authority.

I note the concern regarding the absence of representation for grammar schools, although it is possible that the transferors may choose a representative from the controlled grammar schools as one of their board members. Indeed, any of the political parties could choose a representative of the voluntary grammars as their representative on the board. As voluntary grammar schools are funded directly by the Department and have no direct funding relationship with the education and library boards nor will they have any with the Education Authority, I do not feel that there is any requirement to have representatives of the voluntary grammar schools on the board. Should this position change, it should be open to review.

As was stated in the previous debate, I think by the former chair of the Education Committee, voluntary grammars cherish the voluntary principle more than they cherish academic selection. So, if they wish to remain voluntary, allow then to do so but do not give them a place on a board that will govern all schools other than theirs. Mr Kinahan suggested that perhaps they could step out of the meeting at that time. They would be out of the meeting all day, because the authority will not be engaged with their schools. The continued funding for the voluntary grammars will run through my Department. I have many differences with the voluntary grammar sector, but my opposition to this is not on the basis of academic selection. My opposition to this is on the basis of the voluntary principle, which they hold dear. If they hold it dear, the reaction to that is surely then that they are not sitting on the board.

I believe that four community members is the minimum number acceptable to ensure representation. To reduce community members would not provide a broad representation in terms of background, skills and experience. It will be no surprise to the House that I am prepared to accept the arguments put forward around the deficit in representation for both the integrated and Irish-medium sectors, as set out in amendment No 12.

Mrs Overend: I thank the Minister for giving way. I noticed that his colleague Mr Sheehan discussed this matter as well, and you are opposing voluntary grammar schools going onto the board.

The reason for that is that they report directly to the Department of Education. Maybe I have not picked this up. Can you clarify who the integrated sector reports directly to? Is it the Department of Education? Does it currently report to the education and library boards? Likewise, who reports to CCMS?

Mr O'Dowd: It depends on the category of the school. There are controlled integrated schools and controlled Irish-medium schools. So, it depends on the category of the school. I am not sure that the voluntary sector would be overly amused with the term "report directly to the Department", but I like the ring to it. *[Laughter.]* The Department governs their finances.

I oppose amendment No 16, which proposes to allocate no fewer than two of the four community membership positions to serving teachers. I believe that to appoint two persons to the board of the authority by reason of their being teachers would not be in the best interests of community representation or fair recruitment on the basis of merit. If the amendment passes, the two teachers will not be representing teachers; they will be representing themselves. There are approximately 20,000 serving teachers in society. I do not know how we are going to select two teachers who will represent the wide and diverse views among the teacher population out there.

I accept that the vast majority of our teachers are dedicated to the delivery of high-quality education, but under that is a wide divergence of views on how you deliver high-quality education. How do we select two teachers who will represent the teaching profession? We cannot do so. They would be there representing themselves as individuals. I do not think that that is fair or right, particularly coming out of the community representation. What about parents in community representation? Why should they not be able to apply through this opportunity? Why should the chairs of boards of governors not have a right to a place on the authority? Why should the secretary to the board of governors of a school not have the right to be on the authority?

Mr Craig said, correctly, that there is a teacher representative on the board of governors of every school. That is correct, but that teacher can liaise with the other teachers in the school, regardless of the size of the school. They can liaise with them; they can engage with them; they know the mood of the teachers in the school, and they can reflect that back to the board of governors. Two teacher representatives on this body will not be able to represent the views of approximately 20,000 teachers.

Mr Kinahan: Thank you for giving way, Minister. I have listened to your points. Again, I go back to this point: if we had not had accelerated passage, we could have covered a lot of these points and discussed them. I want to leave the amendment in unless I can find some way; we need to find some way so that principals, vice principals and others who are hands on with the running can be involved. There are ways of doing it. Maybe we could try to sort it out amongst ourselves over the next two weeks.

Mr O'Dowd: Perhaps one thing we should be looking at is trade union representation on the board. At least, they have a mandate from their trade unions to represent the views of the boards. There are around five teachers' trade unions. You might want to suggest to them that they send a representative from that collective body. I understand the principle behind the amendment, but, in practice, it does not work. We cannot select two people, honestly, and say that they represent the teaching profession. They will not do so; they will represent themselves. If the Member is considering not moving that amendment, I would encourage him not to.

I move now to amendment No 17. I spoke on limiting the appointment period for political nominees to eight years in relation to amendment No 10. Why single out political nominees? Mr McCallister will say that the Commissioner for Public Appointments guidance states that you should not serve for more than two terms on a body. That is right, but it is only guidance. Here, we are putting in legislation that politicians — our political representatives — cannot serve for more than eight years on a body. So, there is a distinct difference between what the guidance from the Commissioner for Public Appointments states and what we are going to pass into legislation here. So I am opposed to that on the basis that some other Members had asked why we would treat political appointments differently from other appointments.

7.15 pm

Mr McCallister: I am grateful to the Minister for giving way. The very fact that it is in guidance, and your best practice as a Department in appointing people to various boards states that eight years or two terms is the limit, and someone would effectively get marked down if they wanted to stay on longer than that. Just because it is only in guidance, why would we not want to bring that across to political appointments?

Mr O'Dowd: Why do we not bring it across to all appointments? This is not guidance; this is legislation. There is a distinct difference between guidance and legislation, although if the Member is suggesting that we bring it across to everyone, let us look at that, but we would have to look at a rotation in the board, with over a third of the board changing over every four years to keep continuity in the body. As an unashamed politician and political activist, I am not going to pick on political representations for the sake of it.

Moving on to amendment No 18, which refers to the appointment of the chief executive, again I urge Members to consider this very carefully. I am going to seek to appoint an interim chief executive to the authority; I need the interim chief executive in place before the actual authority gets up and running. I need to select an individual who has the capability to organise the new authority, to look after a £1·8 billion budget, to be in charge of, one way or another, about 70,000 staff, and to go through the process of change management, which Mr Newton quite rightly focused on.

I have to ensure that I will be able to select an individual and ensure that individuals are prepared to come forward for that selection process. If individuals who are interested in that post are looking at a piece of legislation and saying, "In the best-case scenario, I will be in that job for just over a year. In the worst-case scenario, I could walk in, and the authority and I will not click right away, and that authority will start looking rid of me within three months." Who is going to apply for that post? I urge Members to carefully consider that we allow the interim chief executive to be in post for two years before the re-selection process begins to ensure that we can select a candidate or candidates coming forward. There is not a significant number of them who can come forward to carry out the post for an interim period of two years. The two years might even turn off many people, but I think that it is a fair compromise. I know that there are concerns across the House about the role of the Minister in appointing the first chief executive.

Mr Agnew: Will the Minister give way?

Mr O'Dowd: I will in a moment. I think that two years is a fair compromise.

Mr Agnew: I thank the Minister for giving way. I said in my contribution that I felt that he had made a compelling point for a two-year period. Will he then put that into the legislation at Further Consideration Stage to give the Assembly confidence that that will happen, rather than just an assurance?

Mr O'Dowd: Yes. I would be prepared to do that. I have listened to the views of Members across a number of debates now, and whether I agree with their reservations or concerns or not, there are reservations and concerns there. We have largely tried to work through a Bill that we can get agreement on. If Members would be more satisfied if I were to bring forward an amendment at Further Consideration Stage outlining a two-year period, I would be more than happy to do that.

Based on my concerns, I want to be able to appoint a candidate to the post who believes that they will be in post for a time and can carry forward a significant piece of public service in the education sector for that two-year period, without looking over their shoulder as to when the authority is going to say, "Time is up."

Turning to amendment Nos 19 and 20, I support the appointment of standing committees around the community use of schools and shared education. Mr Lunn raised concerns. The Assembly can pass legislation and set up all the standing committees for the authority, but I think that that would be wrong.

So, let us draw a line under it tonight, allow the authority the responsibility to run its functions and give it due regard and respect, recognising that its membership is more than capable of establishing the standing committees and other committees that it needs in the timescales and in the order that it believes is best to deliver its programme of work. I caution Members. Yes, the principle is very good and does not do damage to the Bill, but let us not get carried away with ourselves. At the next stage, we will all bring forward a standing committee that we would like to see established.

That brings to an end my comments on this group of amendments.

Mr Kinahan: I will be as quick as I can. This has been a really healthy debate by everyone. It has shown many different ways forward and given us all much food for thought, particularly on points such as that that the Minister just made on the two years. I think that we have all gained a whole lot from this. I am not going to go through it amendment by amendment. I look forward to us all talking to each other in the next two weeks and finding suitable ways forward so that the Bill works.

I was not condemning politicians — just to answer on that point — but sometimes we do not have to be on everything. However, it was a very healthy debate, and I conclude on that.

Amendment No 9 agreed to.

Amendment No 10 proposed: In page 3, line 17, leave out "8" and insert "10".— *[Mr Lunn.]*

Question put, That amendment No 10 be made.

The Assembly divided:

Ayes 32; Noes 61.

AYES

Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Ms Lo and Mr McCarthy.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

Question accordingly negatived.

Mr Deputy Speaker (Mr Dallat): I remind Members that amendment Nos 11, 12, 13, 14 and 15 are mutually exclusive amendments.

Amendment No 11 not moved.

Mr Deputy Speaker (Mr Dallat): Amendment 12 is mutually exclusive with amendment No 11, which has not been made, and with amendment Nos 13, 14, and 15. Before I put the Question, I remind Members that amendment No 12 requires cross-community support due to a valid petition of concern. I have been advised by the party Whips that in accordance with Standing Order 27(1A)(b) there is agreement that we can dispense with the three

minutes and move straight to the Division. Amendment No 12 proposed:

In schedule 1, page 3, line 19, leave out (c) and insert

"(c) 13 persons appointed by the Department ("appointed members") of whom—

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(v) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.".— [Mr Hazzard.]

Question put, That amendment No 12 be made.

The Assembly divided:

Ayes 27; Noes 47.

AYES

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 McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew.

Tellers for the Ayes: Mr Hazzard and Mr Sheehan.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

Tellers for the Noes: Mr Poots and Mr G Robinson.

Total Votes	*74*	*Total Ayes*	*27*	*[36.5%]*
Nationalist Votes	*25*	*Nationalist Ayes*	*25*	*[100.0%]*
Unionist Votes	*48*	*Unionist Ayes*	*1*	*[2.1%]*
Other Votes	*1*	*Other Ayes*	*1*	*[100.0%]*

Question accordingly negatived (cross-community vote).

Amendment No 13 not moved.

Amendment No 14 not moved.

Mr Deputy Speaker (Mr Dallat): I will not call amendment No 15 as it was consequential to amendment No 14, which was not moved.

Amendment No 16 not moved.

Question, That amendment No 17 be made, put and negatived.

Amendment No 18 proposed:

In schedule 1, page 6, line 9, leave out sub-paragraphs (2) to (5) and insert

"(2) An interim chief executive of the Authority shall be appointed by the Department.

(3) Within one year of the date of the first meeting of the Authority, the Authority shall commence a process to appoint a permanent chief executive.

(4) Every subsequent chief executive shall be appointed by the Authority.

(5) The Authority shall not appoint a person as chief executive unless the Department approves the appointment.

(6) A person shall, so long as that person is, and for 12 months after ceasing to be, a member of the Authority, be disqualified for being an officer of the Authority.".— [Miss M McIlveen (The Chairperson of the Committee for Education).]

Question put, That the amendment be made.

The Assembly divided:

Ayes 59; Noes 33.

AYES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

Tellers for the Ayes: Mr McQuillan and Mr Poots.

NOES

Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Hazzard and Mr Sheehan.

Question accordingly agreed to.

The Report of the remainder of this day's sitting will be published on 22 October 2014.

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

8.00 pm

Amendment No 19 made: In page 6, line 34, at end insert

"(1A) The Authority will appoint a standing committee to encourage, facilitate and promote shared education.".— [Mr McCallister.]

Amendment No 20 made: In page 6, line 34, at end insert

"(1B) The Authority will appoint a standing committee to encourage, facilitate and promote the community use of school premises.".— [Mr McCallister.]

Mr Deputy Speaker (Mr Beggs): We now come to the fourth group of amendments for debate, which concern pay policy statements and the living wage. *[Interruption.]* Order, Members. Could I ask that you remain silent if you wish to leave the Chamber so that we may continue with the business? *[Interruption.]* Order, Members.

With amendment No 21, it will be convenient to debate amendment No 22. I remind Members that valid petitions of concern have been received in relation to amendment Nos 21 and 22. Therefore, they will require cross-community support. I call Mr Steven Agnew to move amendment No 21 and to address the other amendment in the group.

Mr Agnew: I beg to move amendment No 21:In page 9, line 10, at end insert

*"**Pay Policy statements***

***17A**. The Education Authority must prepare a pay policy statement for the financial year 2015-16 and each subsequent financial year.*

17B.—(1) A pay policy statement for a financial year must set out the Authority's policies for the financial year relating to—

(a) the remuneration of its chief officers,

(b) the remuneration of its lowest-paid employees, and

(c) the relationship between—

(i) the remuneration of its chief officers,

(ii) the remuneration of its employees who are not chief officers, and

(iii) the remuneration of its lowest-paid employees.

(2) The statement must state—

(a) the definition of "lowest-paid employees" adopted by the Authority for the purposes of the statement, and

(b) the Authority's reasons for adopting that definition.

(3) The statement must include the Authority's policies relating to—

(a) the level and elements of remuneration for each chief officer,

(b) remuneration of chief officers on recruitment,

(c) increases and additions to remuneration for each chief officer,

(d) the use of performance-related pay for chief officers,

(e) the use of bonuses for chief officers,

(f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the Authority, and

(g) the publication of and access to information relating to remuneration of chief officers.

(4) A pay policy statement for a financial year may also set out the Authority's policies for the financial year relating to the other terms and conditions applying to the Authority's chief officers.

17C.—(1) A relevant Authority's pay policy statement must be approved by the Authority before it comes into force.

(2) The first statement must be prepared and approved before the end of 31 March 2015.

(3) Each subsequent statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.

(4) The Authority may amend its pay policy statement (including after the beginning of the financial year to which it relates).

(5) As soon as is reasonably practicable after approving or amending a pay policy statement, the Authority must publish the statement or the amended statement in such manner as it thinks fit (which must include publication on the Authority's website).

17D. The Authority must, in performing its functions (above), have regard to any guidance issued or approved by the Education Minister.

17E.—(1) This section applies to a determination that—

(a) is made by a relevant authority in a financial year beginning on or after 1 April 2015 and

(b) relates to the remuneration of or other terms and conditions applying to a chief officer of the Authority.

(2) The relevant authority must comply with its pay policy statement for the financial year in making the determination.

(3) Any power to appoint officers and employees is subject to the requirement in subsection (2).

The following amendment stood on the Marshalled List:

No 22: In schedule 2, page 10, line 3, at end insert

"Living Wage Accredited Employer

2A. The Education Authority must become a living wage accredited employer in accordance with the accreditation scheme administered by the Citizens UK

Living Wage Foundation before the end of 31 March 2016.".— [Mr Agnew.]

Mr Agnew: Many Members here were in the Chamber yesterday when we debated at length how best to protect vulnerable women from ending up in prostitution. Time and again, those who sought to do that cited poverty as a key factor in driving women into prostitution.

The number of people who are in in-work poverty is greater than the number of people who are in out-of-work poverty. With amendment No 22 I seek to set a standard in the case of the new Education Authority so that no worker paid directly by the authority or by a contractor appointed by that authority will be paid less than a living wage, less than what is needed to meet reasonable costs of living.

The amendment is based on the principle of making work pay, which is a term that is often used to justify cutting our welfare system. It should be a positive phrase that says that people should have value in their work and should, through their endeavours, at least have what we would consider to be the minimum acceptable standard of living. The Education Authority that we are establishing through the Bill would become the biggest employer in Northern Ireland with 35,000 staff, 32,400 of whom would be based in schools. If we want to value our education system and those who work in it, we should recognise the work that they do by paying them a living wage.

The good news is that the education sector is one of the better sectors at paying a living wage. A study by Oxford Economics has education at the top of a list of sectors in terms of paying the living wage, but even in the education sector approximately 10% of workers do not receive the minimum wage. That is a significant figure but modest in terms of resource in correcting that wrong.

The living wage has increasingly become part of public policy. Belfast City Council has become a living wage employer. I am delighted to see the new North Down and Ards shadow council supporting the living wage. It will seek to become a living wage employer after an Alliance Party amendment that mirrored an amendment put forward by the Green Party was passed. I welcome Alliance's support in that debate for the principle of a living wage.

The principle is based largely on work carried out by the Living Wage Foundation and research funded in large part by the Joseph Rowntree Foundation. Let us look at some of the evidence around it. The Oxford Economics report looked at Northern Ireland. The living wage as calculated by the Living Wage Foundation is £7·56. If that was to be rolled out to everyone in Northern Ireland, Oxford Economics estimates, it would lead to an increase of £221 million in wages and create net 2,500 jobs.

I previously proposed an amendment to a motion looking at public procurement contracts, which is something that Oxford Economics looked into. Doing that alone would create 180 jobs. This is an argument of fairness, but it is also a strong economic argument that one of the best ways to drive our economy is to put more money in the pockets of those who are lower paid because we know that that money will largely be spent and spent in the local economy. Therefore, it would have a greater impact than, for example, a corporation tax cut to large businesses, which would have their headquarters offshore or certainly off these shores. This is something that we can do that would have an immediate and direct impact on our economy.

Amendment No 21 concerns pay policy statements. This is starting to come into public policy in Great Britain through the Localism Act. The principle is simple: we connect the pay of the highest member of staff — in the case of the Education Authority, that is likely to be the chief executive — with the lowest paid. It also introduces transparency. I have not been prescriptive because that would have been another debate and, perhaps, would have required more scrutiny. I have not set the limit, but there would be a ratio between the lowest and highest paid. If we wanted to increase the chief executive's salary, we could do so only if we brought up the pay of every lowest-paid member of staff in an organisation. That is right and fair, and, increasingly, it is what the public will demand.

Look at the conclusions of the Hutton report, which recommended the introduction of the Localism Act 2011. It describes the pay ratio as a framework to ensure:

> *"that senior pay in public services is fair and seen to be fair, and will preserve the ability of public services to recruit talented individuals while reassuring the public that their tax money is not being unfairly creamed off by 'fat cat' public sector executives."*

Given that we are likely, going on past evidence, to recruit a chief executive on a six-figure salary, the minimum that we can expect is a living wage for those paid the lowest salary in the education sector.

We have had much debate about who gets to be on the new board. Alas, after the vote that we have just had, the Alliance Party will not be there to take its position. We have proposed £8,000 a year for the board members, and the board will meet 12 times a year. By my calculation, that is £667 a meeting. I am not sure of the exact requirements, but, if we take it that a board meeting is four hours long, which is perhaps a fair assumption, each board member would receive £167 an hour. I ask for £7·56 an hour for the lowest-paid workers in the education sector. The request is modest, and it should be passed by the Assembly.

I mentioned the Localism Act, which went through Parliament unchallenged by MPs, some of whom sit in the Assembly. Furthermore, an early day motion has been tabled in the House of Commons signed by Gregory Campbell, Rev William McCrea and Jim Shannon of the DUP. I note that, yet again, the DUP has tabled a petition of concern against the amendment. I regret that. I fail to understand, given its hand-wringing yesterday about the plight of those in poverty, why the DUP does not want to do something to address poverty by making work in public service and education pay. What could be a more worthy public service? I further fail to understand how it can support in the House of Commons a living wage for cleaners but table a petition of concern at the very idea of a living wage for a relatively small number of education staff in Northern Ireland. I hate to be cynical, but it smells like the welfare reform debate all over again. The DUP will oppose welfare reform in the House of Commons so that it can tell people it opposed it, but, when it has the power to do something about it here, it will introduce welfare cuts.

Mr Hazzard: I thank the Member for giving way. You touch on a very important point. It is a disgrace that there is a petition of concern from the DUP. The DUP and others in

the House tell us, especially in relation to welfare reform, that we should look at mitigating effects. The living wage is one such way of eradicating poverty traps in our society, and yet the DUP has attached a petition of concern to the discussion.

Mr Agnew: I totally agree. We have all these strategies and targets to reduce and eradicate poverty. However, when it comes to it, the Assembly and the Executive, largely at the insistence of the DUP, reject any efforts to address poverty through work.

They talk about bringing jobs to Northern Ireland — FDI, better quality jobs and whatever — but I am saying let us make the Executive and our public Departments responsible employers and set a standard that we hope the private sector can follow.

8.15 pm

Unlike the minimum wage, which we now have in place and which was introduced in one fell swoop, those in the living wage campaign recognise that we can do this in stages so that there are none of the shocks that some may fear. We will see direct benefits. Each economic analysis that I have seen has always talked about net jobs, because there is an acknowledgment that there will be an impact on employers, and that is why we want to start with the public sector. Everything that we have looked at suggests a net increase in employment, a net increase in tax take and a net increase in fairness, in my opinion.

Mr Lyttle: I thank the Member for giving way and appreciate the research that he is trying to bring to the debate tonight. All of us need to recognise that the cost of living and, indeed, relative wages are an issue for the Assembly to be concerned with.

He refers to the Oxford Economics research in setting out those benefits, but will he agree and recognise that we have to be realistic and acknowledge that it also sets out potential offsets in relation to potentially reduced hours, reduced non-wage benefits and, at worst, some job losses as well? We need to take that into the balance. I acknowledge that he mentioned staged introductions and a voluntary campaign, but does he acknowledge as well that campaigning to make sure that the national minimum wage is at an appropriate standard is just as important?

Mr Agnew: I thank the Member for his intervention, and, of course, with any transition, there will always be some level of disruption. As I say, I think it is the overall effect that we look at. Whilst there will be some negatives, overall, whether it is in job creation, money spent in our economy or tax intake, in net terms we will end up better off as a society. He outlined some of the possible things — such as reduced working hours, etc — and Oxford Economics says that those are some possible outcomes. Another possible outcome could be — it will be up to the employer — reduced top-level pay to fund it. So it is about choices as well. The Oxford Economics report outlines what some of the choices could be, and some are more palatable than others.

I think that this can be a very positive proposal. As I say, I know that the Members from the Alliance Party will speak at some point on their position. I know that they oppose my amendment in this Chamber, but, as I say, I welcomed their motion in the North Down and Ards shadow council to make it a living wage employer. I hope that they will consider supporting the same principles for members of staff in the new Education Authority.

I am conscious that it has been a long two days. I can address points raised in my winding-up speech if I have not covered them, but the basic principles of the two amendments are fair and decent wages for the lowest paid, and transparency and accountability for the wages of those at the higher end of the scale.

Mr Newton: I rise to speak against amendment Nos 21 and 22 in group 4 under pay policy statements and living wage.

Let me say first of all, on amendment No 22, that nobody on this side of the House — certainly nobody in the Democratic Unionist Party — is opposed to addressing issues that will take people out of poverty. It was for that reason that there was a very strong contention that welfare reform, in particular, needed to be addressed. It was also for that reason that the then Minister, Nelson McCausland, spent considerable time addressing issues, particularly the bedroom tax, and set aside £30 million to help those most in need. We will not take any lessons from Mr Agnew on how to address issues of poverty.

One should not just dismiss his amendment out of hand. You cannot dismiss it out of hand. There is a living wage movement, and it is probably worthy of debate in the Assembly. As Mr Agnew said, debates are taking place in other places, and it is probably worthy of a debate and a motion, but it is not appropriate for this legislation. I suppose that it is, in many ways, something that the House should aspire to achieve, but not in this legislation.

Mr Agnew: Will the Member give way?

Mr Newton: Yes, I will give way.

Mr Agnew: Perhaps he was coming to this, but why not in this legislation? To some extent, this is the low-hanging fruit. The employer already pays a living wage or more to the majority of its staff. Why not start here?

Mr Newton: It is a matter of looking at it not just within one Department, section or area but across all Departments. To fail to do that would cause resentment.

Amendment No 21 is nearly as long as the Bill itself, and, when I read it, I could not get my head round what it was trying to achieve. It attacks the integrity of the 1986 Education Order. The arrangements are already there, and I will come to those. I refer to the proposed schedule 1(17B)(3), which states:

> *"The statement must include the Authority's policies relating to—*
>
> *(a) the level and elements of remuneration for each chief officer,*
>
> *(b) remuneration of chief officers on recruitment,*
>
> *(c) increases and additions to remuneration for each chief officer,*
>
> *(d) the use of performance-related pay for chief officers,*
>
> *(e) the use of bonuses for chief officers,*
>
> *(f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the Authority".*

That is all in the 1986 Education Order. It is there and is operated via the Staff Commission as a pay policy review committee. The Staff Commission assists in pay policy implementation. The 1986 Order refers to the establishment of the Staff Commission and states:

> *"There shall be a body to be known as the Staff Commission for Education and Library Boards"*

— in the future, it will be for the Education Authority.

The Order continues that the Staff Commission will be in place for:

> *"the purposes of exercising general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of boards and of making recommendations to boards on such matters."*

In a different way, and not related in percentages up, down or relative to it, it is all there in the 1986 Education Order. That flows down into what are currently the various education and library boards. I picked out two examples, the North Eastern Education and Library Board and the Department's 'Guidance for Boards of Governors on the Formulation and Implementation of Salary Policy'. All of the guidance is there on the matters that you are trying to bring into this Bill. You refer to what the Department has produced, and it is there, in guidance notes on pay policy and salary policy, to address the issues that you are telling us need to be addressed in some way in this legislation. I think that it is admirable that someone would go to this extent. It is questionable whether such a major change is required in what is really a very small piece of legislation. For those reasons, we will be voting against it.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I think that it is important, as we reflect not only on the debate but the amendments, that we do so in the context of the Bill. I think that it is important to reflect on the fact that the context of the Bill is local government reform. I stress the word "reform". During the debate, it has been said that the timeline for agreeing and implementing the new future for education is April 2015. It has been stressed in the debate that the legislation is minimal and would deliver only structural and technical change, but it is very clear that that single Education Authority will overarch that issue of compatibility with local councils.

In the interests of time, I will be brief. I want to concentrate my remarks on support for amendment Nos 21 and 22. I agree with the proposer of those amendments that this is about setting a standard. I think that the House and, indeed, the Department can show leadership on this. The amendments require the Education Authority to prepare a pay policy statement and to become a living wage accredited employer. It is our view that the decision to implement that policy would have to be considered in the wider context of the Bill and with regard to the Executive's current pay policy. I think that that needs to be said.

Sinn Féin fully supports amendment No 22, which is on the living wage. As the proposer has alluded to, the current campaign very clearly advocates the introduction of a living wage, calculated at £7·65 an hour. If we are, ultimately, through this Bill, about setting a standard, we need to be mindful that, for the first time ever, there are more people in work who are living in poverty than those out of work. That casualisation of labour through low pay, zero-hours contracts, growing self-employment and underemployment, it has to be said, presents an ever-growing challenge to those of us who are actually concerned with the rights of working people.

As the proposer has said and as research has backed up, it is estimated that the living wage would stimulate economic growth by increasing gross wages by £221 million. It has been stated that it would lead to the creation of 2,500 jobs and deliver a £1,300 annual pay rise for 173,000 low-paid workers.

It would also lead to reduced reliance on in-work benefits such as working tax credits and housing benefit and, importantly, lead to increased productivity among workers.

8.30 pm

Mr Agnew: Will the Member give way?

Ms Maeve McLaughlin: Yes.

Mr Agnew: Does the Member agree that these are the only welfare cuts we want to see — people coming off welfare because they are getting paid better wages?

Ms Maeve McLaughlin: Absolutely. If we are serious about the eradication of poverty, it is about utilising the tools available to us. I certainly believe that the living wage is one of the tools that should be utilised. In our view, it is for the Department, alongside the Executive, to look at that collectively and work collectively to eradicate the poverty traps that have been alluded to.

One of the first steps that need to be taken is an effort to ensure that all jobs created through public procurement contracts are paid at or above the living wage. That needs to be a very clear statement of intent. We are on the public record, as are others, in calling for the living wage, and I think that that is appropriate. I listened to the DUP spokesperson, but I am not clear why it is not appropriate in this legislation. However, I welcome the fact that the DUP would consider having that debate in the Assembly. I put the challenge down to do that.

Mr Lyttle: I thank the Member for giving way. Given that the Member's party holds the ministry for education, has the Member attempted any costings on the roll-out of this proposal and, indeed, how much the proposal in relation to all public procurement contracts having a living wage attached to them would cost?

Ms Maeve McLaughlin: I thank the Member for that intervention. That is an important part of this discussion. My understanding is that some Departments are considering the models around living wages and are effectively and actively seeking those reports forthcoming. That is an important part of this debate.

Mr Hazzard: I thank the Member for giving way. I am aware that I am engaging with another party through a party colleague on this issue, but does the Member agree that, if you are going to pay the living wage, there will, of course, be a cost? However, there is also the cost of employing chief executives on top salaries. We need to look at tackling poverty, and the living wage is the best way of doing that.

Mr Deputy Speaker (Mr Beggs): I encourage all Members to face the Chair and face the mic so that Hansard can pick up everything that they are saying.

Ms Maeve McLaughlin: Gabh mo leithscéal. I thank the Member for the intervention. As we outlined previously, the impact of the implementation of the living wage on the individual, the economy and on productivity is very clear and has been laid out by research.

If the DUP and the coalition Government in London really believe in the mantra of making work pay, the best thing they can do is to introduce the living wage, rather than having so many families who are in work being dependent on welfare payments. We have to reflect on the fact that over half of the children living in poverty in the North live in households where one or both parents are in work. I, therefore, challenge the DUP to vote as they have voted in district councils, as has been pointed out, to do something that would assist some of the most disadvantaged in our society.

I agree that all Ministers with responsibility, across the board, should ensure that everyone who works in the Civil Service, for example, is paid a living wage. Additionally, Ministers with responsibility for jobs, the economy, health and the Central Procurement Directorate should direct them to stop being obstructionist when it comes to the inclusion of social clauses in public contracts. We should stop them setting the barriers so high that they exclude local businesses from getting Executive contracts. I call on all Departments to ensure that they include a living wage condition when they put out future contracts. I support amendment Nos 21 and 22.

Mr Rogers: Continuing with that theme, I was interested in the response that my colleague Margaret Ritchie got from Iain Duncan Smith when she asked how many meetings had taken place between OFMDFM, the Finance Minister, the Social Development Minister and the Minister for welfare in England. To the best of my knowledge, there were no meetings. However, in respect of the pay policy and living wage —

Mr McCausland: Will the Member give way?

Mr Rogers: Yes.

Mr McCausland: I find it strange that the Member says that there were no meetings. Either I was imagining it or I was sitting in the same room with Iain Duncan Smith in regard to matters about welfare reform. The Member will also be aware that the bulk of negotiations regarding welfare reform took place not with Iain Duncan Smith but with David Freud because it was his speciality. He was driving that forward at a hands-on level. I do not know the exact form of the question, but it is disingenuous and misleading of the Member to present it in that way. Meetings took place; otherwise we would not have negotiated the package of measures that we negotiated for Northern Ireland. I have not seen the answer that was received or the form exactly in which the question was asked, but meetings took place with Iain Duncan Smith and David Freud. In fact, members of Mr Rogers's party met David Freud here at Stormont.

Mr Rogers: I thank the Member for his response. It would be useful to look at the reply that Margaret Ritchie got over the past three years.

Getting on to the pay policy statements and the living wage, I welcome Mr Agnew's amendments regarding the pay policy of the new authority. With the new authority set to employ over 35,000 people, it will become the largest employing body in the North. It is vital that it implement provisions to protect low-paid workers. It is disgraceful that the living wage has become another target for a petition of concern. The SDLP fully supports the living wage as one crucial measure in alleviating in-work poverty. With no existing pay schemes in place, there is an ideal opportunity to set the standard for the rest of the North's workforce. This is a really good starting point to have maximum accountability and transparency in the new authority.

Mrs Overend: At this stage, I hardly feel like debating the two amendments in the final group. The petition of concern means that neither is likely to gain the support to succeed — not that I am saying that I will support them anyway, but just the same.

Amendment No 21 calls for pay policy statements to be prepared on an annual basis. That seems like an overly cumbersome exercise that only seems to draw out the variation of remuneration of those in the Education Authority. However, maybe the Member could clarify whether the exercise goes into the detail of variation in skill sets, qualifications and experience, or is it just the money? Moreover, from my understanding, pay policy statements are made through national agreements. Can the Minister clarify that position?

We will not support amendment No 22, which calls for the Education Authority to become a living wage accredited employer. The Ulster Unionist Party has been clear on other occasions that, instead of supporting the living wage, we should increase the minimum wage in line with inflation. We believe that a living wage is not the answer; it is too simplistic and would simply set employees and employers against one another. Instead of jumping on the populist living wage bandwagon, we in the Ulster Unionist Party believe that it would be a much better use of time advocating an increase in the UK minimum wage because the latter has increased by well below inflation and is no longer adequate. It should be increased, just as the state pension increased in line with inflation. That concludes my comments on the group.

Mr Lunn: I have listened with interest, particularly to Mr Agnew's initial proposition. I must say that I am on a bit of a learning curve. This is not an area of expertise for me, so I have more questions than answers. I am curious to know what the Departments controlled by Sinn Féin, for instance, do at the moment. There is an obvious question about departmental staff rather than the staff who will be employed by the new authority. Do they pay a living wage? I ask that question.

Mr Agnew made a point about the DUP in Westminster. I think that he accused three DUP MPs of signing a motion to pay the living wage in Westminster, yet they seem to oppose it here.

Mr Agnew: Will the Member give way?

Mr Lunn: Just a minute. Much as I enjoy embarrassing the DUP, I am not too sure that this is an embarrassment for them, because wages are considerably higher across the water. I would have thought that it would be much easier to pay the living wage at the present level there. It would be more common perhaps than it would be here. It would be easier to introduce. I will give way.

Mr Agnew: I thank the Member for giving way. I was not accusing those DUP MPs at all. Maybe I should have

been clear. I was commending them and accusing their colleagues in the Assembly of not following suit.

Mr Lunn: I will not play with words. I thought that you were pointing up the fact that the DUP had taken a different attitude at Westminster to what they appear to be taking here. Are we agreed?

Mr Agnew: Yes.

Mr Lunn: Yes. *[Interruption.]*

Mr Deputy Speaker (Mr Beggs): Order. Through the Chair.

Mr Lunn: I am also quite taken by the fact that the Alliance Party appears to have supported this in North Down, especially since the senior representative from North Down, who was here a little while ago, told me to oppose this. *[Laughter.]* In fairness, a lively debate is going on in the party about the living wage, and we have not decided yet. It would not surprise me in the least if one of our new shadow councils, which seems to have been the case, has proposed, supported or adopted something like that.

I really wanted to hear from the Minister. My colleague asked whether there were any costings for this and how much it would cost. What extra wage bills would we saddle the new authority with if this were to become part of the legislation? I am very wary of it. Once again, it is the subject of a petition of concern. It is not going to be decided tonight. Maybe it is something that we will have to go back to. It is a bit like the standing committees that we discussed earlier. We have now saddled the new authority with the responsibility to have those two standing committees. I know that it is not a great comparison, but how many things do we need to load on to them, perhaps without knowing the full facts? I look forward to hearing from the Minister. We will oppose this tonight.

Mr McCallister: To be clear: I cannot bring any further clarity about what the Alliance Party's position is on the living wage, Mr Lunn having illustrated that he is not 100% sure.

This is where I slightly disagree with Mrs Overend's comments about raising the minimum wage. I would prefer it if employers who could afford to pay the living wage did so, and that would be one way round this. It is vital that we get some answers to Mr Lunn's points to the Minister about how much it would cost the new authority. Companies or businesses that can afford to pay the living wage should do so.

I am a little concerned about amendment No 21 and the issue of how much of this you put into the public domain with regard to what the salary grades are likely to be and balancing that with the rights of the individuals who will work in the new authority. I am not convinced about the ratio and linking it from the lowest paid to the highest paid. To get someone suitable to head up an organisation of this size, the Minister may have to pay a fairly significant salary to the chief executive.

If you end up with that, where are you going to draw the line if the lowest paid are on the living wage and it had to rise above that level? I just have concerns around that.

8.45 pm

Mr Agnew: I thank the Member for giving way. The reason for the ratio is that the median of top-level salaries has been increasing by a greater proportion than the lowest pay. It is to try to stop that. As for the chief executive being employed, that is why I have left the setting of the level to the Department — so that, while we might set a level that allows them to be employed now on an appropriate salary, over time we could look at that ratio and see whether it is decreasing, because, ultimately, a decrease in inequality of pay is what we mean when we say that we are going to decrease poverty.

Mr McCallister: I am grateful to Mr Agnew. I am disappointed that there is a petition of concern. I am not unsympathetic to his amendments overall or to the thrust of what he is trying to do. If the Minister was minded to bring any of that back at Further Consideration Stage, I would want to see how much it was likely to cost and what level of burden we would be putting on the new authority at that point. It would be important to know that.

On the issues around a living wage, it has become quite obvious over the last 15 or nearly 20 years that close to 14% of our welfare spend is on tax credits, so we are effectively, at times, subsidising low pay with tax credits. That is not good for anyone. It is not good that we have working poor who are struggling to make ends meet. The rapid rise in food inflation over the past five or six years has pushed families very close to the edge. I am certainly sympathetic to the idea, and I am disappointed about the petition of concern, but for us to make a decision and really scrutinise it, I would like to see it come back with many more facts and figures around what the cost would be and how realistic it would be to do. Is it a likely runner? The Minister may well have the answers to some of those questions in his response. Overall, I am not unsympathetic to the broad thrust of moving to that.

I will also point out that I would prefer to see the Assembly and Executive going down the route of a living wage by putting it in their Programme for Government — if, indeed, that meant anything. If it was an Executive decision that it is right that the Government of Northern Ireland should become a living-wage employer, that might be a very different set of circumstances. It might be much easier to get the resources and research done to match how it is going to be paid for over time as we move to that. As Mr Agnew rightly pointed out, it does not have to be done all at once, but you would want a plan as to how you were going to pay for that and take those steps.

I am not unsympathetic, but, on the details tonight, I will have to vote against the amendments.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. The hour is late and the debate is somewhat academic, considering the fact that a petition of concern has decided the outcome of the two amendments. However, I support the living-wage proposal in principle, and I think that it should come into practice. I do question whether it is worthwhile bringing such measures forward in a Bill, but I accept the right of a Member to do so. It has also allowed the Assembly to debate a very important measure and to outline the benefits of an introduction of a living wage. I think that it has been properly put into the context of tackling poverty and bringing in a welfare cuts agenda that we could all live with, because we would be putting people on a living wage and bringing people off benefits.

It is a shocking figure that 50% of children living in poverty come from households in which the parents are working.

They are not people who are afraid to go to work. They are not people who, as one Tory Minister put it one time, lie in their houses watching 32- or 40-inch televisions or whatever it was as others pass by on their way to work. Those people are going out to work, and their children are still living in poverty.

There is an onus on the public sector — on the Government and on the Executive — to use its finances in such a way as to alleviate poverty and set an economic pathway that lifts people out of poverty and towards prosperity. The Executive have limited funds, but, obviously, we invest significant amounts of funds into the economy. There needs to be a significant debate as to how we best use those funds to stimulate the economy. A living wage is about stimulating the economy.

On the Executive's current pay policy, Mr Lunn asked what current Sinn Féin Ministers did. We are bound by the Executive pay policy, which is aligned to that set by the British Government. At the end of the day, the British Government fund the Executive on the basis of the Barnett formula. The money that comes across in their calculations of wages is what the Executive are forced to live with. However, considering the ongoing discussions about the Budget and future economic direction and the engagement with the British Government, this is an opportune time to raise the issue of the living wage.

On current practice for the policy statement and management statement and the financial memorandum of the authority, as Mr Newton pointed out, boards publish a lot of the information sought by Mr Agnew in his amendment. However, I think that Mr Agnew's amendment on this matter certainly does no harm to the Bill. Openness and transparency in all public pay is important.

I am aware of the trade union campaign in support of the introduction of a living wage. As was stated, it is currently calculated at £7·65 an hour. In response to a recent request from trade unions, education and library boards are conducting an examination to determine how many staff are paid below the target figure. This exercise will be complete in the coming weeks. We will then discuss it with representatives of the appropriate trade unions, which will give us more information on exactly how many staff in the Department of Education are under the living wage parameters. I am more than happy to make those figures public to the House to allow that debate to take place.

I support the principle of a living wage, and I support moving towards it. I note that Mr Agnew said that this is not an overnight event. It is a programme of change and a process of bringing all those who are under the living wage up to the living wage standard. Especially in a society such as this that is so reliant on public sector funding, it is about government using public sector funding to its optimum to drive the economy and give everyone a fair chance in that economy.

Mr Agnew: As someone said, we need more time to debate and consider this matter. I will take every opportunity to ensure that the Assembly does debate it. It is the second time that I have brought up the issue. The first time was in an amendment to a private Member's motion, and this time it is in an amendment to a Bill. Whilst, unfortunately, the petition of concern is valid and likely to ensure that this is blocked by the DUP, regardless of the will of the Assembly, I am glad that we have had the debate. I am heartened by the level of support in the Assembly for the principle of the minimum wage. I hope that those who are undecided will increasingly be swayed by the arguments, which I think are compelling in an economic and social sense.

Mr Lunn: I thank Mr Agnew for giving way. I would just like clarification. The amendment would commit the Education Authority to becoming accredited by 31 March 2016, but you talk about a phased way of bringing it in. Is it feasible to bring it in on that timescale?

Mr Agnew: In the limited time that we had to bring forward these amendments, we debated the timescale; I think it gives a year. The current minimum wage is £6·51, so we are talking about roughly a £1 per hour increase for a relatively small number of staff. The Minister acknowledges that he does not have the exact figures but will seek them out and publish them. We do not have the exact figures for the number of staff, but, across the public sector, it is estimated that about 10% of part-time staff do not get paid the minimum wage. I think that within the education sector, it is around 10% of staff. So it is a relatively small number.

When we look at the savings, the issue of cost has come up. The most inevitable question to be raised, and rightly so, was what the cost of this would be. I suppose that part of the purpose of moving to a single authority is cost savings. We always say that any cost savings should be put into front-line services. Well, front-line services mean our staff. As well as that, the research also shows that productivity is higher when staff pay and conditions are improved. Lower turnover of staff means less money spent on recruitment etc. Again I come back to the whole idea of the net cost being a benefit, if that makes sense, except in year 1. Certainly, were this to be passed this evening, I would consider supporting any amendments that looked at that timeline. However, again, what was important to me was to get the principle debated and discussed, and, if it needs to be tweaked, that can be done at Further Consideration Stage.

I will go through some of the contributions and arguments that have come up. Robin Newton's main argument seemed to be that it was a long amendment, for which I apologise. That was the pay ratio one. I apologise that it was long. He said that it replicated, to some extent, provisions in the 1986 Order. However, the amendment goes further and adds something new, and that is the pay ratio, which is key. People are fed up with seeing the wages of those at the top continually increase, even in a time of recession and even, in many cases, in the public sector, although that has been checked to some extent. This amendment says that we are not going to check it only in hard times; we are going to check it and, if there are going to be pay rises at the top, there should be pay rises at the bottom. The benefits should be shared, and that should be a principle throughout our public sector. So it is certainly not contradictory to the 1986 Order: it builds on and enhances it, increases fairness within the pay policy and ensures transparency.

I thank Maeve McLaughlin for her comments. She reminded us that more than half of children in poverty have at least one parent who is working. I say again that I make no apologies for using a Tory slogan: "We need to make work pay". However we do not do that by cutting the welfare state; we do it by literally making work pay by paying better wages.

Seán Rogers's support was brief but welcome; I acknowledge that.

Sandra Overend talked about a populist bandwagon. Unfortunately, she is not here. I can be accused of many things in the Green Party, but had I wanted to be populist, I would have joined a different party. I take my stances on principle. This is a principle that I support and if it is populist — great. I look forward to seeing all those votes at the next election. However, as I say, I take stances that are at times popular and stances that are unpopular, but I do so based on principle — what I think is right. The clarity that she sought was on whether or not it would go into skills. As I say, the principle is about setting pay and conditions, and linking those at the top end to the bottom end.

9.00 pm

I go back to the definition of poverty. Sometimes we refer to poverty as simply having a low income, but it is about inequality. The measure of poverty is inequality: the gap in income between the lowest and highest earners. The only way that we can truly tackle poverty is through tackling inequality. Some will say that they are against poverty because bad things are bad and that they are for reducing poverty because good things are good. However, when it comes to measures to address poverty, they run away from them because they do not fundamentally believe in tackling inequality. If so, that is fine, but I ask them to stand up and say that they support poverty because if you fail to tackle inequality, you accept poverty. I think that that is unacceptable.

Trevor Lunn raised the issue of cost, and the Minister has agreed to come back to that. I hope that, in my intervention, I addressed some of what Mr Lunn asked. I do not have the Department's figures — if the Minister does not have them, I cannot have them — but the research shows that, where this is implemented, the benefits outweigh the costs, and, on that basis, I hope that the Member will have confidence in the proposal.

I thank Mr McCallister for his contribution to the debate. He said that he would prefer my proposal on the living wage to come from the Executive, and I absolutely agree. That is why I keep putting it forward and will continue to do so until the Executive do the same. I am sure that, if the Executive did all the wonderful things that we would like them to do, he and I would probably give up politics and do something a bit more relaxing. I do not know — maybe he is an enthusiast. I do it because the Executive are not doing the things that I believe in, and I will keep pressing them to do so. In that regard, I welcome the Minister's response. I also welcome that the Minister is investigating this issue in his Department. That is important, as is his commitment to transparency and putting on public record the performance of his Department in paying a living wage. Once we have that, we can get a road map for making this a policy that will apply in his Department and be supported by him.

What I propose may seem radical, but when you take into account that both amendments represent policies supported or implemented by the Conservative Party, you see that it is not really that radical. At Westminster, the principle of a pay ratio was embedded through the Localism Act 2011, which was introduced by a Conservative-Liberal Government. I welcome that. It may seem radical in Northern Ireland because we are often a bit slower to come to these things, but it is being normalised in GB and should, I think, become normal here.

David Cameron has said that a living wage is the direction of travel — this from a party that opposed the national minimum wage. If that party can come to these ideas, I think, hope and believe that the Assembly can take those principles on board and start to implement them through our public governance.

I realise that I did not address the issue raised by Chris Lyttle. The difference between the living wage and the minimum wage is that the living wage is based on the cost of living, which is what we deem the minimum that a family can live on. I welcome the increase in the minimum wage in line with inflation, which he supports. I certainly support that as well, but it is about changing the underpinning principle to one that states that every working family should be able to meet their basic living costs.

I will conclude —

Mr P Ramsey: *[Interruption.]*

Mr Agnew: Apologies. I will conclude by saying that if the ambition of the Assembly is to be as radical as the Conservative Party, it is setting the bar pretty low, but, in this place, it would be a welcome ambition.

Mr Deputy Speaker (Mr Beggs): Before I put the question, I remind Members that amendment No 21 requires cross-community support due to a valid petition of concern.

Question put, That amendment No 21 be made.

The Assembly divided:

Ayes 25; Noes 48.

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey, Mr Rogers, Mr Sheehan.

Unionist

Ms Sugden.

Other

Mr Agnew.

Tellers for the Ayes: Mr Agnew and Mr McKinney.

NOES

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, 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 Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots,

Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle.

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

Total Votes	*73*	*Total Ayes*	*25*	*[34.2%]*
Nationalist Votes	*23*	*Nationalist Ayes*	*23*	*[100.0%]*
Unionist Votes	*43*	*Unionist Ayes*	*1*	*[2.3%]*
Other Votes	*7*	*Other Ayes*	*1*	*[14.3%]*

Question accordingly negatived (cross-community vote).

Schedule 1 agreed to.

Schedule 2 (Transfer of assets, liabilities and staff of dissolved bodies)

Amendment No 22 proposed: In page 10, line 3, at end insert

> *"Living Wage Accredited Employer*
>
> *2A. The Education Authority must become a living wage accredited employer in accordance with the accreditation scheme administered by the Citizens UK Living Wage Foundation before the end of 31 March 2016.".— [Mr Agnew.]*

Mr Deputy Speaker (Mr Beggs): Before I put the Question, I again remind Members that amendment No 22 requires cross-community support due to a valid petition of concern.

Question put, That amendment No 22 be made.

Mr Deputy Speaker (Mr Beggs): I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement to dispense with the three minutes and move straight to the Division.

The Assembly divided:

Ayes 25; Noes 48.

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey, Mr Rogers, Mr Sheehan.

Unionist

Ms Sugden.

Other

Mr Agnew.

Tellers for the Ayes: Mr Agnew and Mr McKinney.

NOES

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, 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 Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle.

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

Total Votes	*73*	*Total Ayes*	*25*	*[34.2%]*
Nationalist Votes	*23*	*Nationalist Ayes*	*23*	*[100.0%]*
Unionist Votes	*43*	*Unionist Ayes*	*1*	*[2.3%]*
Other Votes	*7*	*Other Ayes*	*1*	*[14.3%]*

Question accordingly negatived (cross-community vote).

Schedule 2 agreed to.

Schedules 3 and 4 agreed to.

Long title agreed to.

Mr Deputy Speaker (Mr Beggs): That concludes the Consideration Stage of the Education Bill. The Bill stands referred to the Speaker.

Adjourned at 9.29 pm.

Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.

Written Ministerial Statements

The content of these ministerial statements are as received at the time from the Ministers. It has not been subject to the Official Report (Hansard) process.

Agriculture and Rural Development Enterprise, Trade and Investment

Going for Growth Report: Executive Response

Published at 5.00 pm on Thursday 16 October 2014

Mrs O'Neill (The Minister of Agriculture and Rural Development) and Mrs Foster (The Minister of Enterprise, Trade and Investment): We wish to make a written statement to the Assembly to advise Members of the publication of the Executive's Response to the Agri-Food Strategy Board's Going for Growth report.

Agri-food is one of our most successful industries with a proven track record for growth. With sales of over £4 billion per annum, it is our largest manufacturing sector and accounts for over 10% of private sector employment. In recognition of this, the Programme for Government includes a commitment to develop a Strategic Action Plan for the Agri-Food sector to 2020.

In response to this commitment, we appointed the Agri-Food Strategy Board (AFSB) chaired by Tony O'Neill, to make recommendations in respect of the growth targets, strategic priorities and actions to be included in that Plan. The AFSB published its report, Going for Growth in May 2013, setting challenging targets for the sector to grow sales by 60% to over £7bn, create 15,000 new jobs, grow sales outside NI by 75% to £4.5bn and to increase value added to £1 billion by 2020. Central to the success of Going for Growth and the achievement of those targets will be delivering on the AFSB's Strategic Vision to 'grow a sustainable, profitable and integrated Agri-food supply chain, focussed on delivering the needs of the market'.

Since the publication of Going for Growth, Executive Departments and Agencies have considered its targets and recommendations, their response to these and the appropriate actions to take this forward.

The Executive agreed its formal Response to Going for Growth on 26 June 2014 and we are delighted to now announce that the agreed Response is being published today on the DETI[1] and DARD[2] websites.

In its Response, the Executive commends the ambitions of Going for Growth and welcomes its Strategic Vision and growth targets.

The Response highlights the Executive's key commitments to supporting delivery on the aims and objectives of Going for Growth and also contains a detailed action plan which outlines how Departments and Agencies will address over 80 recommendations that fall to the Executive to lead on. At a strategic level, the Executive has collectively agreed to give priority support to this sector and, in particular, proposals for a 'Farm Business Improvement Scheme' worth up to £250m, as recommended by the AFSB which will be taken forward as part of the Rural Development Programme 2014-2020. This support is very significant given the current challenging fiscal environment that all Departments face, and demonstrates our real commitment to the long-term sustainability of the agri-food sector.

Departments have already made progress on a number of fronts including:

- launching an Agri-Food Loan Scheme aimed at improving access to bank finance;
- deferring the introduction of charges for Export Health Certificates for meat and dairy products;
- launching a review of agri-food marketing and promotional activities to identify options for improved delivery;
- opening a third tranche of the Manure Efficiency Technology Scheme;
- commencing a major review of local business regulation (including regulation of elements of the Agri-Food sector);
- establishing a new government / industry Strategic Partnership to develop a long term strategy to eradicate TB from the local cattle population;
- launching a loan scheme to support the Sustainable Use of Poultry Litter;
- launching a joint all-island Chalara control strategy; and
- appointing a contact point at AFBI to advise academics and businesses on applications to EU R&D funding programmes, and increasing the number of DARD-funded postgraduates.

In considering how to progress the recommendations made by the AFSB, we agreed that Executive Colleagues would ensure that actions are built into the day to day activities of their Departments and reflected in Departmental Business Plans, ensuring that progress can be easily monitored and managed. In addition, DETI and DARD will ensure that the Agri-Food Strategy Board receives regular reports on progress against actions and targets to assist the Board in its advisory role. DETI and DARD will also report progress on a quarterly basis in respect of the Programme for Government Commitment.

1 http://www.detini.gov.uk
2 http://www.dardni.gov.uk/index/food/going-for-growth.htm

Successful delivery of the AFSB's Vision will require the Executive and Industry to work together in partnership. We would like formally to record our thanks to the Chair and Board members for their time, effort and commitment in developing Going for Growth.

The Executive has shown its commitment to doing all that it can to support the sector in realising its ambitions and maximising its potential to our local economy, and we sincerely hope that everyone will play their part as we move forward into what we firmly believe will be an exciting future for the sector.

Finance and Personnel

Public Expenditure: 2014-15 October Monitoring Round

Published at 3.30 pm on Tuesday 28 October 2014

Mr Hamilton (The Minister of Finance and Personnel): The purpose of this Statement is to detail the outcome of the Executive's October Monitoring allocations for 2014-15.

My Statement to the Assembly on 13th October addressed the non-ringfenced Resource expenditure elements of this monitoring round. Therefore, aside from some technical issues, the focus in this Statement is on the Capital DEL position. The non-cash ringfenced Resource DEL element is handled separately since this is strictly controlled by HM Treasury and cannot be used for any other purpose.

On Capital DEL, the Executive entered this monitoring round with an overcommitment of £38.6 million, whilst on Resource DEL, following Executive decisions on 9th October the overcommitment stands at £25.0 million.

There were a number of reduced requirements surrendered by departments in this monitoring round. These amounted to £0.3 million Resource expenditure and £56.4 million Capital investment. In addition £12.9 million Capital DEL has been surrendered by the Social Investment Fund. Full details are provided in the tables accompanying this Statement.

The Executive has agreed that departments can use Resource expenditure reduced requirements surrendered in this monitoring round to offset against agreed Resource DEL reductions. Of course AOCC are exempt from these reductions and as a consequence the £0.1 million they surrendered as a reduced requirement has been returned to the 'Centre'.

There are a number of technical issues that impacted on the 'Centre' position and these are detailed below.

It is good practice that departments seek to manage any emerging pressures within their existing allocations before bringing forward bids for additional allocations. The public expenditure control framework stipulates that internal departmental movements across Spending Areas in excess of the de minimis threshold require the Executive's approval. The movements agreed by the Executive in this round are also detailed in the tables.

Members will note the transaction between DE and DCAL. In agreeing the June Monitoring Round, the Education Minister agreed to provide DCAL with £1 million of Resource DEL from within the DE budget to address pressures relating to City of Culture Legacy programmes. This adjustment has been agreed as a reduction and reallocation.

Departments may also, for a number of reasons, seek to reclassify expenditure from Resource to Capital or vice versa. All such reclassifications need Executive approval and these are also shown in the tables provided with this Statement. Furthermore, departments may also, subject to DFP approval, seek to move budgets between the ringfenced and non-ringfenced Resource DEL categories. The impact of these moves is shown in the table detailing the ringfenced Resource DEL position.

All these issues impacted on the total amount of resources available to the Executive in this monitoring round. Once these were all taken into account, the Executive had £30.6 million of Capital DEL available for allocation. On Resource DEL, the overcommitment is slightly reduced to £24.7 million.

Delivering Social Change/Social Investment Fund/ Childcare Strategy

Before turning to the Capital DEL allocations, I will provide an update on the Executive Funds held at the 'Centre' that cover allocations under the Social Investment Fund, Delivering Social Change Programme and Childcare Strategy.

As part of Budget 2011-15 the Executive set aside £11 million Resource and £15 million Capital in respect of the Social Investment Fund in this financial year. The Executive also agreed, as part of the Budget Realignment exercise, that Delivering Social Change projects should be funded from this centrally held fund. In addition, the Executive also set aside £3 million Resource for this year to fund Childcare Strategy initiatives.

All of the Resource DEL funding available for the Social Investment Fund was allocated in the June Monitoring Round, whilst £12.9 million Capital DEL remained unallocated. On the Childcare Strategy, a total of £1.5 million Resource DEL remained unallocated. OFMDFM requested and the Executive has agreed that funding set aside for the Childcare Strategy can be used for the purpose of the Delivering Social Change Programme in this year.

OFMDFM has also advised that the £12.9 million Capital DEL funding relating to the Social Investment Fund is not required in this year and has been surrendered to the 'Centre' as a reduced requirement.

OFMDFM has now confirmed the following RDEL transfers totalling £1.5 million under the Delivering Social Change banner to be processed in this monitoring round:

- **£0.2 million to DHSSPS** for the Family Support Hubs;
- **£0.1 million to DEL** for Community Family Support;
- **£1.2 million to DSD** for Nurture Units (£0.3m) and Social Enterprise Hubs (£0.9m).

Since this funding is accessed from existing central funds set aside by the Executive for this purpose, these transactions are handled as technical transfers (rather than allocations). Following these transactions there is no further Resource DEL or Capital DEL funding held at the 'Centre' relating to the Social Investment Fund or Childcare Strategy.

Bids Submitted

Against the funding available, departments submitted bids totalling **£97.7 million** in respect of **Capital expenditure**. The individual bids are also included in the tables attached to this Statement. Following Executive agreement on the non-ringfenced Resource DEL elements of this monitoring round, no further Resource DEL bids were considered in this round.

Allocations

The level of allocations made by the Executive was informed by a judgment on the level of overcommitment that should be carried forward to the January Monitoring Round and the relative priority of bids submitted.

The Executive agreed Capital DEL allocations totalling £43.5 million. The individual allocations are detailed in the tables and include:-

- **£4.7 million to DCAL** for City of Culture Legacy projects and Museums maintenance;
- **£13.5 million to DSD** for Co-Ownership Housing;
- **£19.0 million to DRD** for Roads Structural Maintenance (£15.0m), Bus and Rail Infrastructure (£1.0m) and Local Transport Safety Measures (£3.0m);
- **£2.3 million to DARD** for CAP Reform ICT costs;
- **£4.0 million to DHSSPS** for Medical Equipment, ICT and Health and Safety.

In the June Monitoring Round, the Executive agreed that £20.0 million should be held at the 'Centre' to be allocated to DHSSPS subject to the department demonstrating that it is taking the necessary actions to ensure it remains within its Budget Control total. My officials have been working closely with their DHSSPS counterparts and have confirmed that DHSSPS have considered the position and are taking the necessary actions to address the budgetary pressures faced, this year. In line with my recommendation, the Executive agreed this allocation to DHSSPS in the October Monitoring Round. It is also expected that DHSSPS will not breach their 2014-15 Budgetary Controls Totals.

Ring-fenced Financial Transactions Capital Funding

Members will recall that we exited the June Monitoring Round with £30.2 million of ring-fenced Financial Transactions Capital unallocated in the 2014-15 year. In the June Monitoring Round, I encouraged Ministers to continue with their efforts to identify suitable projects that could avail of this form of funding that can only be used for loans or equity investments in the private sector. It is disappointing that no bids for this funding have been received in either the June or October Monitoring Rounds. Under the terms of the scheme negotiated with HM Treasury, there is scope to carry forward up to 10% of our allocation in 2014-15 into next year, this equates to £6.3 million. Any underspend exceeding this threshold will be lost to Northern Ireland.

DETI has advised that it will be unable to spend all of the ring-fenced Financial Transactions Capital previously allocated to them in this year, declaring a reduced requirement of £5.0 million due to slippage on the Agri-food loan scheme. As a consequence, the Executive will exit the October Monitoring Round with unallocated ring-fenced Financial Transactions funding of £35.2 million. There is now a risk that some of this funding could be lost to Northern Ireland. I once again encouraged Ministers to come forward with proposals as soon as possible that can avail of this form of funding.

Together Building a United Community - Capital Programmes

Under the terms of the Economic Pact, the UK Government agreed the Executive could access an additional £100 million of RRI borrowing for shared education and housing schemes, with an initial profile of

£50.0 million in each of the 2014-15 and 2015-16 years. A number of schemes totalling £99.5 million over three years have now been notified to the UK Government. The revised profile is £14.9 million (2014-15), £26.8 million (2015-16) and £57.8 million (2016-17). In 2014-15, DE will receive a total of £8.4 million for a range of shared education schemes, although £6 million of this has already been allocated for the Lisanelly project. DEL will receive £0.5 million for the Craigavon Further Education project and DSD will receive £6.0 million for a number of schemes related to shared housing.

Pay and Workforce Restructuring

Given the significant challenges facing the Executive's budget both this year and in the years ahead, I reminded Ministers of the need to exercise restraint in agreeing public sector pay awards and highlighted the need for the Executive to consider further measures, including the need for workforce restructuring.

October Monitoring Outcome

October Monitoring concluded with an overcommitment of £12.8 million on Capital DEL and £24.7 million on Resource DEL.

Conclusion

I am extremely pleased to report that the local economy is continuing to recover and that confidence levels and employment are increasing. I believe that the work of the Executive in attracting investment and jobs has been an important catalyst for this recovery across many sectors of our economy.

I also welcome the £43.5 million of Capital DEL allocations agreed in this monitoring round. This will benefit a number of departments, however the funding for our transport infrastructure and social housing in particular will provide a welcome boost to our construction sector.

I do however remain concerned about the public expenditure outlook, particularly on the Resource side. However, I believe that if the Executive can work in a strategic manner to address the key issues upfront we can deal with these challenges in a way that will minimise the impact on our most valuable public services.

I commend this Statement to the Assembly.

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2014-15 October Monitoring:

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Table B Proposed Internal Reallocations

Table C Proposed Reclassifications

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Table E Proposed Allocations – Capital

Table F Administrative Expenditure

Table G Ring-fenced Resource Expenditure

Table A: October Monitoring Reduced Requirements (£ Millions)

Department	Description	Non Ring Fenced Resource	Capital
CENTRE	Social Investment Fund		-12.9
AOCC	Northern Ireland Public Sector Ombudsman	-0.1	
DCAL	Regional Stadia		-21.6
DETI	Energy Gas Extension		-0.5
	NI Science Park Extension		-0.1
	NITB Tourism Development Scheme		-1.5
Total DETI			**-2.0**
DOJ	Northern Ireland Community Safety College		-7.2
DRD	CFER Income	-0.1	
	A2 Greenisland		-9.3
	A26 Glarryford		-3.0
	A8 Belfast to Larne		-1.4
	EU CFER Income		-3.3
Total DRD		**-0.1**	**-16.9**
DSD	Crisis Loans		-2.0
	Northern Ireland Co-Ownership Housing Association Income		-3.5
Total DSD			**-5.5**

Department	Description	Non Ring Fenced Resource	Capital
FSA	Nutrition Projects	-0.2	
OFMDFM	Crumlin Road Gaol		-0.8
	Maze/Long Kesh Development Corporation		-1.2
	Social Investment Fund		-1.2
Total OFMDFM			**-3.2**
Total Reduced Requirements		**-0.3**	**-69.3**

Totals may not add due to roundings
Note this table excludes Financial Transactions Capital

Table B: Reduction and Reallocation (£ millions)

Department	Description	Non Ring Fenced	Capital
DCAL	City of Culture Legacy	1.0	
DE	City of Culture Legacy	-1.0	
DEL	Further Education Colleges		-7.0
	Higher Education Institutions		7.0
DRD	Transfer of Transport Projects from Transport Policy		-3.9
	Transfer of Transport Projects to Road Service		3.9
DSD	Charities Commission NI	1.0	
	Child Maintenance	0.5	
	Childcare and National Citizen's Fund	1.0	
	Neighbourhood Renewal	1.0	
	Physical Development Projects	1.0	
	Vacancy and Staff Cost Management	-4.5	

Totals may not add due to roundings

Table C: October Monitoring Reclassification (£ millions)

Department	Description	Non Ring Fenced Resource	Capital
PPS	Victim Information Portal Phase 2		0.0
	Victims of Crime Funding	-0.0	
Total Reclassifications		**-0.0**	**0.0**

Totals may not add due to roundings

Table D: October Monitoring Bids Submitted (£ Millions)

Department	Description	Capital
DARD	CAP Reform ICT	2.3
DCAL	City of Culture Legacy	2.8
	Museums - Preventative and Essential Maintenance	1.9
Total DCAL		**4.7**
DHSSPS	Medical Equipment, ICT and Health and Safety	12.0
DRD	Bridge Strengthening	1.0
	Bus and Rail Infrastructure	1.0
	Cycling Infrastructure	1.0
	Local Transport Safety Measures	3.0
	Roads Plant & Equipment	4.0
	Roads Structural Maintenance	45.0
	Sewer and Reservoir Improvements	7.5
	Traffic Control Centre	1.7
	Vehicle Restraint Systems	1.0
Total DRD		**65.2**
DSD	Co-Ownership Scheme	13.5
Total Bids Submitted		**97.7**

Totals may not add due to roundings

Table E: October Monitoring Proposed Allocations (£ millions)

Department	Description	Capital
DARD	CAP Reform ICT	2.3
DCAL	City of Culture Legacy	2.8
	Museums - Preventative and Essential Maintenance	1.9
Total DCAL		**4.7**
DHSSPS	Medical Equipment, ICT and Health and Safety	4.0
DRD	Bus and Rail Infrastructure	1.0
	Local Transport Safety Measures	3.0
	Roads Structural Maintenance	15.0

Department	Description	Capital
Total DRD		**19.0**
DSD	Co-Ownership Scheme	13.5
Total Proposed Allocations		**43.5**

Totals may not add due to roundings

Table F: 2014-15 Administration Costs (£ millions)

Department	Opening Position	October Monitoring Position	% Change
DARD	42.7	42.2	-1.2%
DCAL	7.1	7.3	3.3%
DE	18.5	18.5	-0.3%
DEL	27.1	27.1	-0.1%
DETI	15.0	14.9	-0.5%
DFP	151.6	156.1	3.0%
DHSSPS	31.0	30.6	-1.5%
DOE	19.8	18.9	-4.8%
DOJ	51.0	41.0	-19.7%
DRD	84.1	81.7	-2.9%
DSD	31.9	41.1	28.7%
OFMDFM	14.2	14.6	2.9%
PPS	2.3	2.3	-0.1%
Total	**496.6**	**496.4**	**-0.0%**

Totals may not add due to roundings

Table G: Ringfenced Position (£ millions)

		Ring Fenced Resource
June Monitoring Over-Commitment		**-14.6**
Reduced Requirements		
DEL	FEC Depreciation	1.0
	HEC Depreciation	0.5
DRD	Roads Depreciation	14.2
NIA	Depreciation	0.1
Total Reduced Requirement		**15.8**
Allocation		
DARD	Depreciation	-1.3
DCAL	Revaluation of Assets Inland Fisheries Group	-0.6
DFP	Depreciation	-2.3
DRD	NI Water Depreciation	-1.0
OFMDFM	Depreciation	-0.4
Total Allocations		**-5.6**
Reclassifications between Ringfenced/Non Ringfenced		**-0.2**
October Monitoring Over-Commitment		**-4.6**

Totals may not add due to roundings

Health, Social Services and Public Safety

Update of Oral Statement on 14 October 2014

Published at 11.30 am on Thursday 30 October 2014.

Mr Wells (The Minister of Health, Social Services and Public Safety): Further to my Oral Statement of 14 October on the October Monitoring Round and my recent attendance at the Health Committee, I would like to update the House in relation to a number of important financial matters affecting my Department in 2014/15.

Firstly, as I have previously advised the House, I very much welcome the £80m which has been made available to my Department in 2014/15 through the June and October Monitoring Rounds. However, given the scale of the challenge I face, even with this additional funding there will still be consequences for the provision of health and social care services. It will simply not be possible to maintain current levels of service provision in the absence of all the required funding.

In terms of the deployment of the £80m additional allocation, this will focus on the provision of front line services. However, while I have decided that the additional funding will permit £14 million of investment in elective care, this is much less than the full extent of the pressure and thus the current restrictions on the use of the independent sector will have to continue.

Support will be provided to unscheduled care and patient flow, with the aim of reducing the number of breaches in Emergency Department waiting time standards, including through the challenging winter period. Some £31m will be devoted to protecting unscheduled care, investing in domiciliary care and addressing the implications of Trust contingency plan proposals. As I signalled in my Oral Statement of 14 October, I have decided to provide support so that NICE drugs and treatments can continue to be provided, to invest in the Altnagelvin radiotherapy centre during 2014/15, so that it can open as intended in 2016 and to support the cath labs in Altnagelvin so that they can continue to provide a vital service, 24/7 as planned. Together these specialist services will benefit by some £8m. Further support will be provided to the voluntary and community sector and the Family Fund along with other regional commitments which will receive some £8.5m. Some £8m has also been directed at funding TYC transitional costs in 2014/15, allowing the Integrated Care Partnerships to make further progress and ensure that there is a greater equity in reformed services across Northern Ireland. Finally I intend to make allocations of £4m to support increased nurse staffing levels to maintain safety and quality on acute wards, £3m to meet some of the increased demand in childrens' services, £2m to resettle mental health and learning disability clients and £1.5m to provide some support to vital public health initiatives.

Since my Oral Statement, I have considered the range of competing pressures and priorities across health and social care. In doing so, my clear focus has been to ensure that the services we provide are safe and effective, while seeking to achieve financial balance for the Department, as is required of all Ministers.

To achieve these twin aims, in addition to the £170m of savings required in 2014/15, the Trusts will also need to implement a range of contingency proposals. Some of these proposals will inevitably cause concern in local areas. However, each Trust has provided assurances that their services will remain safe, with appropriate staffing levels in place. Such proposals, including the temporary closure of some minor injuries units, closure of some beds and amalgamation of wards and outpatient clinics, will be implemented on the understanding that alternative arrangements are put in place to maintain safety and mitigate the impact on patient flow. Elective care treatments will be focused on urgent procedures, assessed by clinicians in priority order, and potentially provided on different sites in order to reduce locum and agency spend. Domiciliary care and aids and adaptations will be provided in order to best manage risks and meet the highest priority needs within the resources available. I expect the full engagement of the Trusts in their local areas so that the public is fully aware of any changes that will impact on them and should Trusts propose to make any significant service changes permanent, those proposals must be subject to consultation, as appropriate.

The extent of the pressure on my budget means that I have had also to impose further cuts in other areas including a 2.5% cut to my other Arms Length Bodies, my own Department's administration costs and to pharmacy spend. I have decided to follow the lead of the Finance Minister and exercise a degree of restraint over pay, given the financial challenges and the need to prioritise front line service provision. Subject to the necessary approvals, staff will therefore receive either the incremental progression they are entitled to or a 1% non consolidated pay award if they are at the top of the pay scale. Consultation processes will also commence shortly which could mean that higher and lower clinical excellence awards will not be made for 2012/13 and 2013/14.

Given the significant financial challenges, I have had to make difficult choices in both allocating resources and determining the measures needed to secure break even. These decisions reflect what is achievable in maintaining safety and minimising costs between now and the end of the financial year. These financial challenges will continue in 2015/16, and our planning for that requires urgent Executive agreement to a draft Budget, including how Welfare Reform cost pressures will be addressed. It is vital that health and social care receives the necessary funding to meet the needs of the local population.

Justice

Anti-Slavery Day: Interdepartmental Ministerial Group On Modern Slavery

Published at 12.00 noon on Monday 20 October 2014

Mr Ford (The Minister of Justice): Human trafficking and slavery are dreadful crimes which have a devastating impact on victims. Every effort must be made to combat these crimes and ensure that the perpetrators, who deceive and exploit vulnerable people for their personal gain, are brought to justice.

The Department of Justice is committed to working with colleagues across the United Kingdom to ensure that the response to trafficking and exploitation is as effective and robust as possible. The Justice Minister represents Northern Ireland on the Interdepartmental Ministerial Group on Modern Slavery, which has published a statement to mark the occurrence of Anti Slavery Day on 18 October.

This statement outlines the activity across the United Kingdom, on both a legislative and non-legislative basis, to tackle trafficking and exploitation. It also outlines the work that the administrations intend to take forward over the coming year.

Copies of the statement will be available in the Assembly library.

Written Answers

This section contains the written answers to questions tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Northern Ireland Assembly

Friday 3 October 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr McCallister asked the First Minister and deputy First Minister for their assessment of renaming the Office of the First Minister and deputy First Minister as the Office of Joint First Ministers.
(AQO 5375/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): There are no plans to rename the Office of the First Minister and deputy First Minister.

Mr Kinahan asked the First Minister and deputy First Minister whether they consulted all relevant members of the Executive before the announcement of the targets within Together: Building a United Community.
(AQO 5372/11-15)

Mr P Robinson and Mr M McGuinness: The Together: Building a United Community Strategy is the culmination of many years of hard work and the outcome of extensive consultation with the community and political representatives, including Ministerial colleagues.

It reflects the consultation on the draft Cohesion, Sharing and Integration document as well as the All-Party group on Good Relations.

The Strategy was considered and agreed by the Executive last May, including the targets.

Mr Lyttle asked the First Minister and deputy First Minister for their assessment of the (i) type; (ii) scale; and (iii) cost of separation and division that the Together: Building a United Strategy seeks to address.
(AQW 30618/11-15)

Mr P Robinson and Mr M McGuinness: Addressing the challenges left by a legacy of division within our society is a strategic priority for all of us in the Executive and it is vital to build a stronger, more united, diverse and reconciled community.

Our commitment to tackling division and building a united community is clear. One of the key priorities within the Programme for Government is to build a strong and shared community. This can only be achieved when we work to reduce segregation and separation.

Mr Wells asked the First Minister and deputy First Minister whether they have any plans to review the provisions of the Ministerial Code.
(AQO 5492/11-15)

Mr P Robinson and Mr M McGuinness: As the Member will be aware, there have been a number of recent legal judgments in which adherence to the Ministerial Code has been a core issue. We are in the first instance carefully studying these judgments to determine what lessons can be learned and whether, for example, there are areas in which further clarity about its provisions may be needed to ensure that the Code remains effective as the key accountability mechanism for the Northern Ireland Executive.

Mr Copeland asked the First Minister and deputy First Minister what discussions were held within their Department on the First Minister's statement in February 2014 that he was not prepared to be First Minister of a government which is kept in the dark on matters which are relevant to Northern Ireland.
(AQO 5818/11-15)

Mr P Robinson and Mr M McGuinness: No Ministerial discussions were held on this matter.

Mr Humphrey asked the First Minister and deputy First Minister for an update on the Programme for Government 2011-15 target of increasing the drawdown of European funds.
(AQO 6003/11-15)

Mr P Robinson and Mr M McGuinness: We would refer you to the answer we gave to AQO 5484/11-15 on 10 February 2014. These are the most up to date figures available and show that we remain well on track to meet this Programme for Government target.

As soon as figures for 2013/14, Year 3, have been validated, we will publish the updated drawdown value.

Mr Nesbitt asked the First Minister and deputy First Minister to provide a copy of the business case submitted by the Strategic Investment Board and agreed to by their Department to commission the Colliers International report into the peace building and reconciliation centre at the Maze/Long Kesh site.
(AQW 33504/11-15)

Mr P Robinson and Mr M McGuinness: Departmental agreement was not required for the Strategic Investment Board's business case for the Colliers International report into the Peace Building and Reconciliation Centre.

A number of documents relating to the Colliers International report are now available on the SIB website.

Mr Nesbitt asked the First Minister and deputy First Minister what discussions were held between the Strategic Investment Board and their Department that led to the commissioning of the Colliers International report into the peace building and reconciliation centre at the Maze/Long Kesh site.
(AQW 33505/11-15)

Mr P Robinson and Mr M McGuinness: The Strategic Investment Board agreed with OFMDFM officials that it would commission a market research report to help determine the evidence required. Ministerial consideration of this issue was not sought, nor was it required as it was commissioned through SIB.

Mr Kinahan asked the First Minister and deputy First Minister whether they have been invited to appear before the Northern Ireland Affairs Committee inquiry into the administrative scheme for on-the-runs.
(AQO 6141/11-15)

Mr P Robinson and Mr M McGuinness: The First Minister was invited to appear before the Northern Ireland Affairs Committee in his party leader role to give evidence as part of the Committee's inquiry on this issue when it visited Belfast on 9 and 10 June.

Mrs Dobson asked the First Minister and deputy First Minister to detail the number of Central Good Relations Fund 2014/15 applications (i) received; (ii) approved; and (iii) rejected; and for their assessment of the time taken to (i) make a decision on each application; (ii) inform applicants of the decision; and (iii) release funding to successful applicants.
(AQW 35253/11-15)

Mr P Robinson and Mr M McGuinness: Two hundred and twelve applications were received for the Central Good Relations Fund 2014/15. Two hundred of these applications were for project funding and 12 were for small grants.

Five of the 12 small grants applications have been approved and 7 were unsuccessful. All small grant applicants have been advised of the decision relating to their application.

Of the 200 project applications for project funding, 21 have been approved based on the current available budget. The remaining applications for project funding will be re-considered if further funding becomes available.

The closing date for applications was 10 February and decisions were made in tranches. All applicants are advised as soon as decisions are made.

Funding is released to applicants in line with the terms of their letter of offer which they must sign prior to any funding being released.

It should be noted that the Central Good Relations Fund is a small central scheme designed to distribute funding in year. We primarily fund good relations work through the Community Relations Council and all District Councils. The fund does not and will not replace mainstream core or project funding.

Mr Gardiner asked the First Minister and deputy First Minister to outline how the funding for programmes within the Together: Building a United Community will be delivered.
(AQO 4653/11-15)

Mr P Robinson and Mr M McGuinness: In addition to the £36m allocated to good relations work in the current CSR period a further £5.4 million has been allocated from the 2014 June Monitoring round to OFMDFM, DCAL and DOJ to support the delivery of the Together: Building a United Community Strategy. This shows the commitment of the Executive to ensure the delivery of the actions and commitments contained in the Together: Building a United Community strategy.

Senior Responsible Owners have been appointed for each of the seven headline actions and are working to produce indicative costs, establish realistic cost profiles and identify funding sources which will inform our decisions on the way forward and the funding required.

Mr Allister asked the First Minister and deputy First Minister, given the arm's-length body status of the Victims and Survivors Service, what authority their Special Advisers have in its operation and to give directions to staff; and what supervision exists to ensure Special Advisers do not abuse their positions.
(AQW 35427/11-15)

Mr P Robinson and Mr M McGuinness: Our Special Advisors are accountable to us. They have no direct authority for the operation of the Victims and Survivors Service, as the responsibility for this lies with the Service.

Mr Allister asked the First Minister and deputy First Minister to detail the recommendations arising from the research report from the Victims' Commissioner on the Victims and Survivors Service that have been (i) implemented; and (ii) rejected.
(AQW 35470/11-15)

Mr P Robinson and Mr M McGuinness: We have accepted all 70 of the recommendations emanating from the Independent Assessment of the Victims and Survivors Service. Of these, 41 have been fully implemented and 16 partially implemented. We anticipate that all recommendations will be implemented by March 2015.

Mr Nesbitt asked the First Minister and deputy First Minister for their assessment of the Ulster Human Rights Watch Service as funded by the Victims and Survivors Service (VSS) (case reference 13/1928) in relation to (i) outcomes; and (ii) value for money as compared to similar VSS funded schemes.
(AQW 35471/11-15)

Mr P Robinson and Mr M McGuinness: The Victims and Survivors Service (VSS) has a monitoring and evaluation framework in place which is used across the Victims Support Programme. Ulster Human Rights Watch has submitted reports which show that it has delivered services and support in line with the outcomes outlined within their Letter of Offer.

Mr Lyttle asked the First Minister and deputy First Minister in relation to the 2013 HM Treasury Consultation on Tax Free Childcare Payments/Childcare Payments Bill, to detail (i) the response from their Department; (ii) the stakeholders their Department consulted; and (iii) the responses they have received to the consulation.
(AQW 35485/11-15)

Mr P Robinson and Mr M McGuinness: As the Member will know, the OFMDFM Committee wrote to the Department requesting this information. A copy of the Department's response has been placed in the Assembly Library.

Mr Allister asked the First Minister and deputy First Minister, in relation to the Victims and Survivors Service, to detail (i) how staff vacancies are filled; and (ii) whether an audit of staff, matching levels of work to grades, has been conducted.
(AQW 35608/11-15)

Mr P Robinson and Mr M McGuinness: The Victims and Survivors Service (VSS) operates a standard recruitment process. Vacancies are filled through publicly advertised recruitment processes in line with Departmental guidelines. When required temporary positions are procured through recruitment agencies.

A number of VSS staff were transferred from the Community Relations Council and NI Memorial Fund under TUPE arrangements. As part of that process, a review of positions was undertaken and grades relative to the role and position assigned. Any new positions are subject to a review by DFP which is based on the skills and competences required for the role and the appropriate grade is applied. The Independent Assessment of the VSS which reported in February 2014 also made recommendations in relation to staffing issues. We welcomed and accepted all of their recommendations.

As an Arm's Length Body, VSS is required to operate in line with all standard Departmental guidelines and policies. Adherence and compliance is reviewed through a number of mechanisms which include Accountability and Audit and Risk Committee meetings and through a programme of internal audits, which VSS has been subject to throughout the year.

Mr Storey asked the First Minister and deputy First Minister what legislation is in place to protect Christians in Northern Ireland.
(AQO 6541/11-15)

Mr P Robinson and Mr M McGuinness: The 1998 Fair Employment and Treatment Order currently protects individuals from unlawful discrimination on the grounds of religious belief. The term religious belief includes any religion or similar philosophical belief.

Mr Humphrey asked the First Minister and deputy First Minister for an update on the development of the former Crumlin Road prison.
(AQO 6543/11-15)

Mr P Robinson and Mr M McGuinness: The Visitor Attraction and Conference Centre at the Crumlin Road Gaol, operated by Belfast Tours Ltd, continues to be extremely successful. It exceeded expectations by achieving 136,000 paying visitors and hosting 466 conferences and special events during the first 12 months of the Gaol opening to the public. Over 100,000 people visited the Gaol between 1 December 2013 and the end of August 2014. The company employs 35 people.

Belfast Distillery Company has been identified as the developer to regenerate A Wing as a boutique whiskey distillery, tasting rooms, restaurant and visitor attraction on the history of whiskey-making in Belfast. The company anticipates that it will commence development work later this year, initially employing 30 people, increasing to 60 when fully operational.

Our Department continues to undertake work on the site to enhance the visitor attraction, protect the buildings and provide infrastructure to facilitate further regeneration. Restoration and protection work was completed on the Warders Cottages in 2013/14. This work has further contributed to an enhanced urban environment for local communities.

Our officials are currently preparing to market the opportunity to develop D Wing and the undeveloped Cottages. It is anticipated that this marketing exercise will take place early in 2015.

Mr Elliott asked the First Minister and deputy First Minister whether all of the £80 million of the Social Investment Fund will be allocated by March 2015.
(AQO 6546/11-15)

Mr P Robinson and Mr M McGuinness: Delivery plans are being finalised for projects identified for funding under the £80 million Social Investment Fund with letters of offer out for a number of projects in all 9 zones.

The full list of projects prioritised across the zones can be found at http://www.ofmdfmni.gov.uk/index/delivering-social-change/social-investment-fund/sif-projects.htm.

Mr Agnew asked the First Minister and deputy First Minister, given the proposed one year extension of the Historical Institutional Abuse (HIA) Inquiry and thus a similar period of additional wait for victims for potential redress, whether departmental officials will scope potential models of redress to learn lessons from other jurisdictions in order to inform thinking and expedite decision making ahead of the recommendations in the Inquiry report.
(AQW 35785/11-15)

Mr P Robinson and Mr M McGuinness: We do not underestimate the complexities of dealing with institutional abuse and every opportunity must be provided for those impacted by the allegations of institutional abuse to be heard in an open forum. The Historical Institutional Abuse (HIA) Inquiry Chairman has therefore reluctantly made a very persuasive and compelling case for a one year extension to the timeframe.

On consideration of all of the relevant evidence, the Historical Institutional Abuse Inquiry Chairperson will submit a report to the NI Executive which will include recommendations on the requirement or desirability for redress to be provided by the institution and/or the Executive to meet the particular needs of victims.

The Historical Institutional Abuse Inquiry Terms of Reference state “the nature or level of any potential redress - financial or the provision of services - is a matter that the Executive will discuss and agree following receipt of the Inquiry and Investigation report”.

We will not pre-empt the work of the Inquiry or any future decisions that the Executive may make by speculating now about redress or potential models of redress.

Mr Agnew asked the First Minister and deputy First Minister whether the issue of religious inequality in North Belfast and the need for a time bound, resourced strategy to tackle this has been raised at any Executive meeting since May 2014; and if not, whether the issue will be discussed in the near future.
(AQW 35786/11-15)

Mr P Robinson and Mr M McGuinness: All aspects of Executive business, including the processes by which the Executive considers and reaches a decision on any matter, are confidential.

Ms Sugden asked the First Minister and deputy First Minister what steps the Executive will take to ensure that the Coalition Government’s Tax-Free Childcare Scheme will be promoted and accessible in Northern Ireland.
(AQW 35948/11-15)

Mr P Robinson and Mr M McGuinness: The Executive has agreed to seek to extend the provisions of the Westminster Childcare Payments Bill to Northern Ireland by means of a Legislative Consent Motion. Subject to the Assembly agreeing such a Motion, parents who live here will be able to claim support under the proposed new Tax Free Childcare Scheme in the same way as those living in England, Scotland or Wales.

Department of Agriculture and Rural Development

Mr Allister asked the Minister of Agriculture and Rural Development whether the use of plastic ear tags on livestock is due to an EU requirement; and if so, to outline the differences with the practice in other parts of the UK.
(AQW 35896/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The rules governing the identification of livestock, including means of identification, are laid down in EU law.

Under Council Regulation (EC) 1760/2000, cattle must be identified with a primary and secondary tag bearing the same number. The specifications for ear-tags are set out in Commission Regulation (EC) No 911/2004 and state that the primary ear-tag shall: be of flexible plastic material; be tamper-proof and remain easy to read throughout the bovine's lifetime; not be re-usable; be designed in such a way that it remains attached to the animal without being harmful to it; and carry only non-removable inscriptions. Member States may approve an alternative material for the secondary tag provided it carries the same information as the primary tag.

The official means of identification for cattle here is two yellow plastic tags, and the use of metal secondary tags is not permitted. The policy reflects health-and-safety concerns about operators reading small metal tags and aims to reduce scope for errors in identifying animals, since such tags can wear down over time.

In Britain, secondary ear-tags may be made from a range of approved materials and types, including metal and plastic types.

Under EU Regulation 21/2004, sheep and goats must carry two identifiers bearing the same number, and in the case of sheep, one of those identifiers must contain an electronic identification device (EID). The Regulation specifies that ear-tags should be capable of being attached to the animal's ear without harming it and that they must be easy to exclude from the food chain. Ear-tags must also be made of non-degradable material, be tamper-proof and remain easy to read throughout the lifetime of the animal. They must also be non-reusable, and the codes printed on the tags must be non-removable.

DARD require that sheep be identified with an EID device (EID tag or bolus) in addition to a conventional tag. All official tags for identifying sheep are plastic. This is in line with the rules in Britain.

Council Directive 2008/71/EC sets out the system for the identification of pigs and specifies that a pig must be identified with an ear-tag or tattoo before it leaves its birth holding but does not set out a specification for ear-tags. Ear-tags for pigs do not need to be approved by DARD; however, the tags need to be printed with the holding code of the keeper by a licensed tag supplier. Ear-tags can be made of plastic or metal or a combination of both and can be of any colour. This also applies in Britain.

Mr Frew asked the Minister of Agriculture and Rural Development how many people applied for the position of Chair of the TB Strategic Partnership Group.
(AQW 35988/11-15)

Mrs O'Neill: There were four applicants for the position of Chair of the TB Strategic Partnership Group.

Mr Frew asked the Minister of Agriculture and Rural Development to outline (i) the appointment process carried out for the Chair of the TB Strategic Partnership Group; (ii) the targets set for this role; and (iii) the timescale in which these targets are to be reached.
(AQW 35991/11-15)

Mrs O'Neill: The process for the recruitment of the Chair of the TB Strategic Partnership Group (TBSPG) followed the spirit of the Commissioner for Public Appointments NI (CPANI) Code of Practice. The position was publicly advertised in the local press. All applications for appointment were considered strictly on the basis of merit against pre-determined criteria for this post, with independent assessment, openness and transparency of process. Applicants who fulfilled the criteria were interviewed, following which the names of those deemed suitable for appointment were provided to me. I announced my decision by Press Release on 22 July 2014.

The Chair of the TBSPG will be expected to build on the existing EU Commission annually approved TB Eradication Programme and to: lead the development of a long term strategy to eradicate TB; produce an associated action plan to implement the strategy; provide advice to me on how the strategy and its outcomes can be achieved; determine who should lead on the implementation of the various elements and advise on how they will be funded; reach agreement with a range of stakeholders on their roles in delivery; and further the objectives of securing the progressive reduction of disease levels and programme costs towards eradicating bovine TB by as early a date as possible.

Following the appointment of the TBSPG Members, I expect that the TBSPG will quickly get to work to scope the sequence and timescale for each of the components of the substantial and important tasks outlined above. I shall, however, wish to receive the TB eradication strategy and the implementation action plan by as early a date as possible.

Mr Agnew asked the Minister of Agriculture and Rural Development what management schemes are being put in place for the regeneration of Belvoir Forest.
(AQW 36012/11-15)

Mrs O'Neill: Forest Service manages Departmental owned woodlands in line with best practice sustainable forest management standards. This requires all our forests to have forest management plans which provide an appropriate balance between economic, environmental and social objectives. The long term management plans for Belvoir are to develop a predominantly broadleaf woodland using natural regeneration and supplementary planting to re-establish the woodland. The management plans for forests in County Down will go through a formal review process in 2015 and this will provide an opportunity for both strategic and local consultation on our Forest Management Plans in Belvoir forest.

Mr Storey asked the Minister of Agriculture and Rural Development to detail the projects funded under the village renewal aspect of the Rural Development Programme in North Antrim, in each of the last three years.
(AQW 36068/11-15)

Mrs O'Neill: I take your question to mean the total amount committed to village renewal projects through letters of offer. Village renewal projects include the preparation of village plans and the support of integrated village initiatives which promote cross-community development and regeneration. Projects in the North Antrim area are detailed in the table below.

2012

Project Title	Grant Awarded
Facilitation of Village Renewal and Development in the North east Rural Development Area	113,099
Ballintoy Village Plan	3,000
Cushendun Village Plan	3,000
Mosside Village Plan	3,000
Cullybackey Village Action Plan	5,250
Stranocum Village Action Plan	5,250
Dervock & District Village Action Plan	5,250
Ballybogey Village Action Plan	5,250
Dunloy Village Plan	4,500
Portglenone Village Renewal	47,329
VILLAGE PLAN FOR RASHARKIN	1,875
Cloughmills C.A.T. Village Renewal Phase I	7,373
Improving Glenravel Amenities	9,000
Glenravel Village Renewal	17,010
Cushendall Village Improvement Scheme	51,720
Glenravel Village Renewal Part 2	36,488
Hamill Terrace Public Art	12,000
K.K. McArthur Festival of Running	14,325
Dervock Streetscape Improvement Project	11,250

2013

Project Title	Grant Awarded
Loughgiel Village renewal and development	25,000
Waterfoot Village Improvement Scheme	62,056
Cloughmills Biodiversity Riverside Walk and Activity Area	55,230
Village Links (Mainstream)	73,000
Kells Community Garden	14,880
Portglenone Village Renewal	15,000
Kells & Connor Community Improvement Initiative	34,649
Cushendun Walking Trail	62,250
Ballybogey Multi-Use Games Area	62,500

Ballintoy Community Recreation Area	62,500
Broughshane Riverside Walk Improvements	24,993

2014

Project Title	Grant Awarded
Village Renewal Facilitation/Animation in the NER Area	16,125
Rasharkin Wellbeing Project	62,500
Dervock Riverside Park Project	50,810
Cullybackey Village Renewal	24,750
Renewal and development of the village square, Gracehill.	23,438

Mr Allister asked the Minister of Agriculture and Rural Development what is the current status of the DARD Directed AFBI Research Work Programme 2014/15.
(AQW 36094/11-15)

Mrs O'Neill: My Department is continuing to fund a considerable portfolio of research in 2014/15 via the DARD Directed AFBI Research Work Programme addressing the Department's evidence and innovation needs relating to (1) performance in the market place (2) social and economic infrastructure in rural areas (3) animal and plant health & animal welfare and (4) sustainable environment. We are also well advanced in the processes for preparing the DARD-directed AFBI Research Work Programme for 2015/16.

Mr Agnew asked the Minister of Agriculture and Rural Development what plans she has to maintain the current woodland environment and encourage the transition to native woodland within Belvoir Forest.
(AQW 36103/11-15)

Mrs O'Neill: In line with sustainable forest management standards, all Departmental owned forests have forest management plans which provide an appropriate balance between economic, environmental and social objectives. The management plans for Belvoir forest outline the long term management objectives to maintain a woodland environment by developing a predominantly broadleaf native woodland. This transition will be carried out using natural regeneration and supplementary planting to re-establish the woodland.

Mr Agnew asked the Minister of Agriculture and Rural Development what sustainable management methods will be employed to ensure forestry operations will not damage current forest biodiversity in Belvoir Forest.
(AQW 36104/11-15)

Mrs O'Neill: Forest Service manages Departmental owned woodlands in line with sustainable forest management standards and associated best practice guidelines. At Belvoir, adherence to operational guidelines and close working with the NI Environment Agency and RSPB ensured that the biodiversity value of the forest, in particular the ancient woodland remnants and veteran trees, was protected while necessary tree disease felling operations were completed. Subsequent operations associated with the regeneration of the felled areas will be managed to the same standard.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 35845/11-15, to detail the felling program for (i) 2013/14; and (ii) 2014/15.
(AQW 36105/11-15)

Mrs O'Neill:

(i) The timber sales programme in 2013/14 totalled 412,768 m3. This was made up of 11,040 m3 of timber from thinning operations and 401,728 m3 of timber from clear fell operations. Spruce species accounted for 84% of the total programme volume.

(ii) The timber sales programme for 2014/15 is ongoing at this stage of the year but it is anticipated to total 411,000 m3. 18,000 m3 of timber is expected to come from thinning operations and 393,000 m3 of timber is expected to come from clear fell operations. Spruce species are again expected to account for around 84% of the total programme volume.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 35845/11-15, to detail the volume of timber supplied to maintain the annual supply of wood for industrial processing in each of the last three years; and the monetary value realised.
(AQW 36106/11-15)

Mrs O'Neill: Please see table below detailing the volume of timber supplied to maintain the annual supply of wood for industrial processing in each of the last three years and the monetary value realised.

	Volume supplied (cubic metres)	Income from timber sales
2013-14	412,768	£8.2 million
2012-13	425,525	£8.15 million
2011-12	438,927	£8.34 million

Mr Byrne asked the Minister of Agriculture and Rural Development for an update on the Test and Vaccinate or Remove (TVR) policy that is being used to tackle the continuing issue of Bovine tuberculosis; and what process is being used to measure any success of the TVR policy.
(AQW 36125/11-15)

Mrs O'Neill: I must clarify that "Test and Vaccinate or Remove (TVR)" is a wildlife intervention research project, it is not a policy. TVR field activities commenced on 27 May 2014 in a 100km2 area near Banbridge/Rathfriland in Co. Down.

The aim of the project is to consider the effects of implementing TVR on badgers in an area with high confirmed TB in cattle; high cattle herd density; and high badger density. Badger TB prevalence and ecological factors relating to the TVR intervention will be measured; and cattle TB prevalence in the TVR area will also be measured and compared with TB prevalence in similar non-TVR control areas. The data gathered during the project will also be interrogated by disease transmission and economic models to help inform the optimum strategic approach towards controlling TB in the badger population here. In addition it will develop expertise in relation to trapping, testing and vaccination of badgers and quantify the field logistics and costs of wildlife intervention.

In the first year all badgers captured will be sampled, micro-chipped, vaccinated and released. In addition up to 40 badgers will have Global Positioning System (GPS) collars fitted to record their movements. This initial approach is essential for two reasons: (a) to establish baseline data on normal badger movements; and (b) to reduce any potential disease risk should there be any adverse perturbation (that is disturbance of badgers) following the subsequent removal of test positive badgers. Ecological monitoring will also take place throughout the 5 year research project, which is scheduled to end in 2018.

The TVR project will be reviewed annually and it is anticipated that a final report will be available by 2019. Some information will become available as the TVR research project progresses, but care will have to be taken to prevent premature conclusions being drawn prior to completion of the project and the subsequent analysis of all the data.

The TVR project has obtained broad spectrum support from farmer, veterinary and environmental representative stakeholders. I am also encouraged with the degree of support the TVR wildlife intervention research project has received from farmers and landowners in the Banbridge/Rathfriland area.

Mr Byrne asked the Minister of Agriculture and Rural Development for an update on the illegal abattoir in Forkhill, South Armagh; and what steps her Department has taken to ensure that further illegal abattoirs are being deterred.
(AQW 36126/11-15)

Mrs O'Neill: Responsibility for investigating illegal slaughter in the north of Ireland lies primarily with the Food Standards Agency (FSA) and Local Councils. However my Department, through Veterinary Service Enforcement Branch (VSEB), investigates any associated breaches of animal health or welfare.

A criminal investigation is ongoing in respect of one individual for a number of alleged animal health and welfare breaches, associated with the discovery of an alleged illegal abattoir in Forkhill.

My Department engages closely with the FSA, the PSNI and other enforcement agencies tackling and deterring rural crime including illegal abattoirs.

I have met with the Chief Constable and the Minister of Justice on a number of occasions to highlight my concerns regarding rural crime including farm-related rural crime and the impact it has on the farming community. The work of the PSNI's Rural Crime Unit is discussed at these meetings. In addition, actions taken by DARD's VSEB to tackle livestock theft in co-operation with the PSNI are also considered.

DARD's VSEB use their range of powers to carry out unannounced inspections of farm animals and premises suspected of involvement in rural crime. More serious criminality is referred to the police with DARD officers providing assistance and expertise. VSEB assists the PSNI by sharing intelligence, exchanging training and conducting joint operations and investigations. VSEB also participates in multi-agency investigations with other regulators, including the Food Standards Agency, HMRC and cross border agencies.

DARD continues to work with the Department of Justice, the PSNI and representatives of the farming community on a number of joint initiatives. These are aimed at reducing rural crime and raising awareness of action that can be taken to help prevent rural crime, including Farm Watch, the Freeze-branding initiative and the Crimestoppers Campaign.

Mr Byrne asked the Minister of Agriculture and Rural Development how long her Department had known about the investigation in Forkhill before the illegal abattoir was uncovered.
(AQW 36127/11-15)

Mrs O'Neill: Responsibility for tackling illegal slaughter of cattle in the north of Ireland lies primarily with the Food Standards Agency (FSA) and Local Councils.

My Department, through Veterinary Service Enforcement Branch (VSEB), works closely with the FSA and the PSNI to investigate allegations associated with illegal slaughter. This particular investigation was a multi-agency investigation led by the PSNI. It is not appropriate to disclose the nature, or the timing, of information shared between enforcement agencies regarding a particular criminal investigation.

Mr Byrne asked the Minister of Agriculture and Rural Development what lessons her Department has learned from the Single Farm Payment crisis in 2013; and what action her Department will take to avoid a repeat of this crisis in 2014.
(AQW 36128/11-15)

Mrs O'Neill: The 2013 Single Farm Payment campaign achieved the best ever payment outcome to date with 90.16% of claims finalised in December 2013 and 96% of claims finalised by February. All inspection cases were paid by April 2014 which was two months earlier than the previous year and four months earlier than the year before.

My Department has set even more challenging targets in 2014, one of which is to have 93% of Single Farm Payment (SFP) claims issue this December. Inspections have commenced much earlier this year. Processes have been updated to minimise the number of farm visits and to ensure that when we must visit a farm, all information that may be required for future reference is captured. My Department has committed to have 500 remote sensing inspection cases paid in December.

I have committed to improving communication links between the Department and farmers especially those who have been inspected by providing information to them as early as possible within the constraints of the Regulations.

This year my Department engaged in an active targeted promotion campaign to encourage an increased uptake of the Single Application online service. It has resulted in a 52% increase uptake in 2014 compared to 2013. The online submission of SFP forms helps to reduce processing times.

Mr Byrne asked the Minister of Agriculture and Rural Development what discussions have taken place with her counterparts in the Irish government to promote an all-island approach to agri-food production.
(AQW 36129/11-15)

Mrs O'Neill: I engage in a wide range of discussions with the Dublin Government to promote an all-island approach to agri-food production. Whilst regular formal discussions take place at North South Ministerial Council meetings on issues such as Animal Health and Welfare, Rural Development, CAP reform and Plant Health, there are numerous other discussion groups, collaborations, working groups and cross-border meetings that examine areas of co-operation. For example:

- My officials meet regularly with their counterparts in the south to discuss a range of legislative, regulatory and enforcement related matters on issues of mutual interest (e.g. identification and movement of livestock, animal welfare and transport, plant health etc) to ensure insofar as is possible a consistent all-island approach;
- The College of Agriculture, Food and Rural Enterprise (CAFRE) works in partnership with a number of counterparts in the south, including Teagasc, on research, development and technology transfer and exchanges information relating to nutrient management, as well as the beef, sheep, dairy, crops and mushroom industries; and
- My officials also work with colleagues in the South to facilitate trade. For example, they have established a dairy International Trade Working Group; agreed certificates for exports from either the north or the south which permit meat from animals sourced from across the island and they have also been able to draw on the south's experiences of export negotiations.

I also meet regularly with Minister Coveney to discuss topical issues impacting on the agri-food sector; most recently we have worked jointly to maintain the cross-border beef trade and address labelling issues in an effort to ensure that producers across the island are not placed at a disadvantage.

Moving forward, as my Department leads the implementation of the Executive's Response to Going for Growth, officials will explore possibilities for further collaboration with the Dublin Government to the benefit of the local agri-food sector.

Mr Allister asked the Minister of Agriculture and Rural Development whether research through the Agri-Food and Biosciences Institute in the areas of arable crops, grass breeding, apple research, mushroom research and beef, dairy and sheep research, is under threat; and how potential cuts to the research programme is compatible with the focus on research in 'Going for Growth'.
(AQW 36145/11-15)

Mrs O'Neill: AFBI is currently developing proposals to address an expected 25% reduction in its existing sources of revenue up to 2020. Clearly, this represents a very significant challenge for the organisation and options are being explored by AFBI including both cost reductions and alternative potential revenue streams across all areas of its work programme. In this process DARD and AFBI are working closely together to develop a sustainable way forward for the Institute which best meets the needs of the agri-food sector in the north of Ireland within the confines of available resources, and in doing so, will give due consideration to addressing the recommendations and targets of the "Going for Growth" report produced by the Agri-Food Strategy Board.

Mr Allister asked the Minister of Agriculture and Rural Development to detail the plans for the veterinary laboratory in Omagh.
(AQW 36146/11-15)

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. All options are being explored, but I have no set plans at this point for the AFBI laboratory in Omagh.

Mr Allister asked the Minister of Agriculture and Rural Development to detail (i) the cuts that have been required in research; and (ii) the reasons for the cuts.
(AQW 36147/11-15)

Mrs O'Neill: Public expenditure is under very significant pressure with in-year cuts of 2.1% announced by the Executive as part of the June monitoring round. As a result, the Department has asked all business areas, including our main science provider AFBI, to develop savings proposals which are currently being considered. My recent response to AQW 35923/11-15 highlighted the fact that strategic plans for cost-savings and alternative revenue streams are being developed by AFBI, working with DARD, for the period through to 2020.

As I indicated in my response to AQW 36094/11-15, new research within the DARD directed AFBI Research Programme has not been commissioned in 2014/15 as DARD's budget is already fully committed for this year, although it is important to note that a considerable portfolio of research started in previous years continues to be funded.

In relation to the industry-led Research Challenge Fund, the budget for the latest tranche was reduced from £1m to £750k, as this amount has never been fully committed in the past. The balance has been used to offer an additional 4 PhD studentships which will help drive innovation in the industry and foster future local world class leaders in industry, research, and education with £52.6k required for savings plans.

Finally, I recognise that difficult choices will have to be made across all areas of expenditure and my Department will continue to engage with our stakeholders to ensure appropriate prioritisation of key evidence gaps and innovation for the research and development work programme for 2015/16 and beyond.

Mr Agnew asked the Minister of Agriculture and Rural Development whether there are plans to provide training and create jobs in native woodland creation and management in departmental owned woodlands.
(AQW 36163/11-15)

Mrs O'Neill: Forest Service creates and manages native woodlands as an integral part of their overall management of Departmental owned woodlands. This is in line with sustainable forest management standards and ensures woodlands are managed on a landscape basis with an appropriate balance between economic, social and environmental benefits.

The management of Departmental owned woodlands is carried out by trained foresters with competencies including the management of native woodlands.

Forest Service also chair the Native Woodland Group with whom they have produced and published a booklet entitled "Native Woodland Definition and Guidance" to assist all woodland managers, including private landowners, in the creation and regeneration of native woodland.

Ms Sugden asked the Minister of Agriculture and Rural Development how many farmers in East Londonderry have received financial support through the Countryside Management Scheme, in each of the last five years.
(AQW 36164/11-15)

Mrs O'Neill: The number of farmers in East Londonderry that received financial support through the Countryside Management Scheme (CMS) and related schemes in each of the last 5 years is outlined in Table 1. The data is based on the last five financial years and shows the total number of participants in the NI Countryside Management Scheme (NICMS) and in Legacy Agri-environment schemes. Legacy Agri-environment (AE) schemes refer to the AE schemes that were introduced under the Rural Development Programme 2000-2006, namely the Countryside Management Scheme (CMS) and the Environmentally Sensitive Areas Scheme (ESA).

Table 1

Year	Number of farmers that received support through CMS in East Londonderry
April 2009 – March 2010	910
April 2010 – March 2011	1024
April 2011 – March 2012	1008
April 2012 – March 2013	939
April 2013 – March 2014	944

Ms Sugden asked the Minister of Agriculture and Rural Development to detail the number of farmers in (i) Northern Ireland; and (ii) East Londonderry that currently receive support through the Less Favoured Area Compensatory Allowance for farming in naturally less favourable areas.
(AQW 36166/11-15)

Mrs O'Neill: Based on the Less Favoured Areas Compensatory Allowance (LFACA) 2014, claimed on the Single Application Form 2013:

(i) As at 19 September 2014, 13,368 farm businesses have received support;

(ii) As at 19 September 2014, 914 farm businesses in the East Londonderry constituency have received support.

Ms Sugden asked the Minister of Agriculture and Rural Development how her Department has promoted the Northern Ireland Countryside Management Scheme to encourage voluntary participation by farmers.
(AQW 36168/11-15)

Mrs O'Neill: The Department's Countryside Management Unit (CMU) encouraged voluntary participation by farmers in the NI Countryside Management Scheme (NICMS) by engaging in an active promotion campaign during the application periods in 2008 and 2011. A series of farm walks were organised to provide information to interested participants on the options available and the many benefits that agri-environment schemes can deliver.

NICMS featured on the DARD exhibit at Balmoral Show and other local agricultural shows. Visitors to the shows were able to discuss their eligibility for NICMS and the options available to them with Countryside Management advisors.

CMU published a number of press articles in the farming press to highlight the opening of NICMS for application and to provide information on the scheme. The Department's website also contained advice on applying for NICMS and details of the scheme.

Mr Frew asked the Minister of Agriculture and Rural Development to detail her Department's plans to change the financial element of the Animal and Public Health Information System.
(AQW 36187/11-15)

Mrs O'Neill: The Animal and Public Health Information System (APHIS) is nearing the end of its useful economic life and plans are being developed for its replacement. All current IT expenditure on APHIS will be kept to a minimum between now and the implementation of the new system.

Mr Frew asked the Minister of Agriculture and Rural Development what her Department is doing to communicate to and advise farmers on rural crime.
(AQW 36201/11-15)

Mrs O'Neill: I am personally very aware of the concern that farm related crime causes the farming community, although the responsibility for combating rural crime falls primarily to the Department of Justice (DOJ) and the PSNI. However, my Department works closely with DOJ, PSNI and farming organisations on a number of joint initiatives which aim to raise awareness of actions that farmers can take to reduce incidences of rural crime. These initiatives include Farm Watch, the Freeze-branding initiative and the Crimestoppers Campaign.

In addition, the College of Agriculture, Food and Rural Enterprise (CAFRE) has facilities available which can be used by the PSNI for workshops, seminars and meetings aimed at raising awareness of crime prevention measures among the farming community. Students on CAFRE programmes also learn about appropriate responses to rural crime through input from visiting speakers, information leaflets and participation of the College Farms in PSNI-led programmes such as Farm Watch.

I have also ensured that all of the DARD Direct offices currently stock Rural Crime Leaflets at the front desk where members of the public can access necessary information in relation to this issue.

Mr Byrne asked the Minister of Agriculture and Rural Development what actions her Department is considering on the ownership and traceability of horses, in light of the horsemeat scandal in 2013.
(AQW 36211/11-15)

Mrs O'Neill: In response to the horse meat fraud in 2013, the EU Commission wrote to Member States with its 5 Point Action Plan, which contains a number of measures in relation to food fraud, country of origin labelling and actions in respect of horse passports.

On 11 September 2014 Member States agreed Commission proposals to strengthen the horse passport system including the mandatory recording of horse passports in a central national database. The new EU regulations will apply from the 1 January 2016 with the centralised database to be in place by 1 July 2016.

DARD officials are continuing to work with counterparts in Defra, Scotland and Wales with a view to improving the quality of horse passports including new Minimum Operating Standards for Passport Issuing Organisations (PIOs) which were issued in February 2014.

DARD officials are also working with counterparts in Dublin on the sharing of information on equines here and in the south.

Given the all-island nature of the equine industry it is important that we co-operate on the arrangements we put in place to strengthen the horse passport system and help to prevent food fraud throughout the island.

Mr Frew asked the Minister of Agriculture and Rural Development what further steps the Farm Safety Partnership will take to reduce farm deaths and accidents.
(AQW 36288/11-15)

Mrs O'Neill: As you are aware the Farm Safety Partnership, which comprises of representatives from the Health and Safety Executive for NI, DARD, Ulster Farmers Union, NFU Mutual, Young farmers Clubs of Ulster and NIAPA, has been working since May 2012 to address the very serious issue of safety on our farms. In April this year the Partnership launched its second action plan covering the period from April 2014 to March 2017.

The aim of this action plan is to influence future behaviour so that farmers, their families, and their employees are capable, motivated, and able to work safely to reduce accidents on farms. A number of interventions are contained in the action plan to achieve this aim. The interventions will cover the four areas of Information and Promotion of SAFE Working, Training and Education, Motivating Good Behaviour and Discouraging Poor Practice, and Support and Assistance.

The first Action plan was successful and other jurisdictions have shown interest in the good work of the north's Farm safety Partnership. I was pleased to hear that this good work has seen a reduction in the number of deaths on our farms (a 67% drop in 2013/14 when compared to 2012/13) but we still need the Partnership's work to continue and I am sure the Partnership's second action plan will work hard to tackle this key issue.

The partnership has also developed a programme of events to highlight issues. An example of this is the recent PTO safety campaign and this is being followed up w/c 29 September with HSENI inspectors carrying out enforcement visits to a number of farms.

My Department as a Partner in the Farm Safety partner has been working on integrating farm safety as part of the Business Investment Scheme and I recently launched the FarmSafeNet online tool. To date there has been over 323 businesses that have successfully completed FarmSafeNet.

The partnership is also continuing its very successful Think Safe campaign.

Over the three years the Partnership will carry out the actions in its action plan to continue to make our farms safer.

Mr Frew asked the Minister of Agriculture and Rural Development how her Department is communicating with farmers on single farm payment issues; and to provide the general letters on this issue that have been sent to farmers.
(AQW 36289/11-15)

Mrs O'Neill: The Department issues a range of letters to farm businesses on Single Farm Payment matters throughout a scheme year. These letters contain specific business information but are issued to all farm businesses. A copy of these letters is enclosed and has also been placed in the Assembly Library.

Mr Frew asked the Minister of Agriculture and Rural Development to outline the progress of the Farm Safety Action Plan.
(AQW 36290/11-15)

Mrs O'Neill: The Farm Safety Partnership has launched its second Action Plan on 7 April 2014. This Action Plan will cover the years 2014 to 2017.

The aim of this action plan is to influence future behaviour so that farmers, their families, and their employees are capable, motivated, and able to work safely to reduce accidents on farms. A number of interventions are contained in the action plan to achieve this aim. The interventions will cover the four areas of Information and Promotion of SAFE Working, Training and Education, Motivating Good Behaviour and Discouraging Poor Practice, and Support and Assistance.

A number of actions have been taken since the launch of this action plan and include:

- The continuation of the Partnership's Think Safe campaign,
- Securing a BBC TV package towards the end of August to promote farm safety over a number of days,
- Continuing with the very successful Farm Safe Awareness programme,
- The launch of the FarmSafeNet online tool and to date over 323 businesses have completed FarmSafeNet,
- Considered the potential to deliver Farm Safety Training via a number of mediums (recommendation will be brought to the Partnership in due course),
- Development of a Make It safer tool to aid farmers to consider the dangers on farms and take appropriate action,
- Integrating Farm Safety into the Business Investment Scheme of the new RDP,
- CAFRE continued provision of farm safety instruction to students as part of its courses and the tractor driving courses for 13 to 15 year olds,
- Continue the Rural Schools programme which provides presentations to children on farm safety (in 2013/14 over 12,000 children in 93 schools received a farm safety presentation).

- The partnership is in the process of identifying Farm Safety Champions who will be deployed to provide a network of people to facilitate the farm safety message throughout the north of Ireland,
- HSENI continue with their Advisory inspections,
- Work continues on the development of an Affiliate Scheme,
- The partnership developed a programme of work which includes items such as the Child Safe Calendar competition, PTO Advisory week, Animal Handling spotlight week, development of Visual Safety Guides.

The Partnership continues to work through its action plan and will continue to work towards making our farms safer.

Mr Dunne asked the Minister of Agriculture and Rural Development what action is being taken to research and develop detection equipment to warn farmers of toxic fumes during slurry handling operations.
(AQW 36294/11-15)

Mrs O'Neill: As Part of its second Action Plan, launched in April 2014, the Farm Safety Partnership, which comprises representatives from Health and Safety Executive for NI, DARD, Ulster Farmers Union, NFU Mutual, Young farmers Clubs of Ulster and NIAPA, is in the process of setting up a Slurry Working Group. The remit of this group is to review slurry handling operations with a view to making working with slurry safer. This will include considering potential detection and warning systems for farmers when handling slurry.

Mr Swann asked the Minister of Agriculture and Rural Development what remit her Department has in relation to checking the identification tags of cattle presented to a market for sale.
(AQW 36308/11-15)

Mrs O'Neill: The responsibility for checking cattle identities at markets lies with the market operator. Cattle should be correctly identified with two yellow plastic matching ear tags before being moved to a market. If an ear tag is lost in transit to the market, the market operator can obtain a matching replacement tag. Cattle cannot be sold with only one ear tag.

The market operator should check the description and ear tag numbers of the animals presented in the market against the information recorded on the movement document that accompanied the animals to the market. The details of the movement of the animals to the market are uploaded by the market operator to the Department's database, the Animal and Public Health Information System (APHIS). APHIS carries out several validity checks, including checks that the ear tag number exists on the database, the ear tag number is recorded in the herd of the seller and the animal is not under any movement restriction.

DARD staff are not routinely present in markets, however, members of Veterinary Service Enforcement Branch (VSEB) conduct regular, risk-based/targeted, unannounced inspections of markets assessing compliance with animal identification along with other statutory requirements, e.g. welfare and bio-security. Where there is evidence of non-compliance at a market appropriate enforcement action is taken, including the prosecution of the market operator where this is appropriate.

Ms Sugden asked the Minister of Agriculture and Rural Development what agri-environment schemes are currently operational; and whether they will be maintained within the new Rural Development Programme for 2014-2020.
(AQW 36372/11-15)

Mrs O'Neill: Currently there are six agri-environment schemes in operation, namely; the Habitat Improvement Scheme (HIS); the Countryside Access Scheme (CAS); The Environmentally Sensitive Areas Scheme (ESA); the Countryside Management Scheme (CMS), the NI Countryside Management Scheme (NICMS) and the Organic Farming Scheme (OFS).

It is intended that approximately £60m of the Rural Development Programme 2014-2020 budget will be used to fund existing agri-environment agreements, therefore helping to ensure that environmental benefits associated with ongoing agri-environment schemes can continue to be delivered.

Ms Sugden asked the Minister of Agriculture and Rural Development how many agri-environment scheme participants are there currently in East Londonderry.
(AQW 36374/11-15)

Mrs O'Neill: On 01 September 2014 there were 828 agri-environment scheme participants in East Londonderry.

Mr Frew asked the Minister of Agriculture and Rural Development what plans she has to ensure the appropriate Animal and Public Health Information System software changes are made within six months, to assist marts to show residencies of cattle.
(AQW 36400/11-15)

Mrs O'Neill: My Department has prioritised this APHIS enhancement to add the residency count to the market download. The original target delivery date was December 2014. My officials have worked hard to bring this about quickly, while ensuring that system performance is not compromised. I am pleased that we have already made significant progress in developing this enhancement. It is therefore likely that we can have this change delivered before the December target date.

Mr Frew asked the Minister of Agriculture and Rural Development for an update on her Department's plans to refresh the Think Safe Campaign.
(AQW 36401/11-15)

Mrs O'Neill: As you will be aware the Think Safe Campaign has been running since 2013 and indications are it has been very successful.

The Health and Safety Executive manage this campaign on behalf of the Farm Safety Partnership.

The Campaign is a key feature of the Partnership's second action plan covering the years 2014 to 2017 and will continue subject to budget limitations.

HSENI have produced two new radio adverts and is considering the possibility of a new TV advert within the scope of Farm Safety Partnership's second action plan.

My Department co-financed the campaign in 2013/14 and this year and will continue to do so subject to budget constraints.

Mr Weir asked the Minister of Agriculture and Rural Development to detail the level of funding available for farm diversification projects in 2014/15.
(AQW 36427/11-15)

Mrs O'Neill: There will be no further calls for funding under the current Rural Development Programme 2007-13 as all funds are fully committed and the Department is moving towards closure.

However our proposals for the new Rural Development Programme 2014-2020 include 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.

My Department is currently working to finalise the new Rural Development Programme 2014-2020 with the aim of submitting it formally to the European Commission for consideration in October 2014. The Rural Business Support scheme will be delivered on the ground by new Local Action Groups and it is hoped that animation for applications can start in April/May 2015. The date for the opening of any calls will depend on the programme being signed off by the European Commission and on getting the necessary business case approval.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the days on which the Union Flag is flown from buildings within her Department's remit; and whether she has issued any instructions to staff on the flying of the Union Flag on any buildings within her Department's remit.
(AQW 36453/11-15)

Mrs O'Neill: DARD policy in relation to the flying of the Union flag is to comply with the provisions of the Flags Regulations (NI) 2000, as amended by the Flags Regulations (NI) Amendment 2002. In accordance with these Regulations the Union Flag is flown on the designated days outlined below.

2014 - Days for Hoisting Flags on Government Buildings in the North of Ireland in Accordance with the Flags Regulations

■	20 January	Birthday of The Countess of Wessex
■	6 February	Her Majesty's Accession
■	19 February	Birthday of The Duke of York
■	10 March	Birthday of The Earl of Wessex
■	10 March	Commonwealth Day #♣
■	17 March	St Patrick's Day
■	21 April	Birthday of Her Majesty The Queen
■	9 May	Europe Day
■	2 June	Coronation Day
■	10 June	Birthday of The Duke of Edinburgh
■	14 June	The Queen's Official Birthday *♣
■	15 August	Birthday of The Princess Royal
■	9 November	Remembrance Sunday **♣
■	14 November	Birthday of The Prince of Wales
■	20 November	Anniversary of Her Majesty's Wedding

Commonwealth Day is the second Monday in March
* The day appointed for the official celebration of Her Majesty's Birthday
** Remembrance Sunday is the second Sunday in November. Flags should be flown right up all day and not at half mast.
♣ Dates confirmed by publication in the Belfast Gazette on Friday 31 January 2014

On the Above Days Flags Should Fly from 8am Until Sunset.

Officials within my Department are responsible for issuing instructions to the relevant staff on the flying of the Union flag.

Mrs Dobson asked the Minister of Agriculture and Rural Development, in relation to the level 2 agricultural qualification at the College of Agriculture, Food and Rural Enterprise for the Young Farmer Scheme, how many applicants made payment by the deadline of 24 September 2014; and whether flexibility will be afforded to those who make payment after this date.
(AQW 36454/11-15)

Mrs O'Neill: CAFRE received payment from 2327 applicants by 24 September 2014.

Further to this, CAFRE sent a letter to those applicants who did not confirm their application and make a payment by 24 September. This communication confirms their withdrawal from the application process. However, if for any reason applicants wish to continue they should contact CAFRE by 4.00pm on Tuesday 30 September 2014 and make their payment.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the number of applications received for the level 2 agricultural qualification at the College of Agriculture, Food and Rural Enterprise for the Young Farmer Scheme.
(AQW 36455/11-15)

Mrs O'Neill: My Department received 3,495 applications to the Level II Agriculture Qualification during the application period in August 2014. The qualification is one of the eligibility criteria required for the Young Farmers' Scheme and the young farmer and new entrant categories of the Regional Reserve.

Mr Easton asked the Minister of Agriculture and Rural Development to detail the current size of the fishing fleet.
(AQW 36470/11-15)

Mrs O'Neill: On the 1st January 2014, there were 136 over ten metre vessels and 218 ten metre and under vessels giving a total fleet of 354 licensed vessels. Full statistics on the fishing fleet can be found at https://www.gov.uk/government/statistical-data-sets/uk-sea-fisheries-annual-statistics-report-2013

Mr Easton asked the Minister of Agriculture and Rural Development to detail the current grants available to farmers.
(AQW 36471/11-15)

Mrs O'Neill: The following table lists Departmental grants providing funding to farmers with the exclusion of subsidy schemes. The majority of these grants are now closed to applications, but the table includes relevant dates where grants are currently open. The NI Rural Development Programme 2014-2020 will provide a range of new grants and opportunities for farmers but is not yet open to applications.

Title of Grant Available to Farmers	**Brief Description of Purpose/Objective of Grant**
Farm Modernisation Programme (FMP)	FMP provides financial support to existing farm businesses to improve the overall performance of their farm through modernisation under six key priority investment areas: introduction of new technologies and innovation; improved animal health and welfare; increased hygiene control and product storage; enhanced occupational safety and business efficiency; increased energy efficiency; and enhanced environmental status.
Supply Chain Development Programme	Financial support is available to develop collaborative initiatives between producers, processors and stakeholders to promote more effective and sustainable supply chains in the agri-food and forestry sectors.
The Manure Efficiency Technology Scheme (METS)	METS is a capital grant Scheme under the NI Rural Development Programme 2007-2013. The Scheme provides capital grant support for specialized slurry spreading equipment which will deliver a range of environmental and productive benefits on farm.
The EU Agriculture and Forestry Processing & Marketing Grant Scheme (PMG)	Financial support is available to micro, small, medium and intermediate sized enterprises with fewer than 750 employees in the agricultural and horticultural sectors who are involved in processing and marketing - this includes processors and individual producers who want to process and market their own produce.
Farm Diversification into Non-Agricultural Activities	Provides capital grant assistance to farm family members to diversify into non-agricultural activities on farm.
Micro business creation and development	Provides grant aid to new or existing businesses to develop micro businesses that is, businesses with less than 10 employees including farm family members wishing to develop a micro business off farm.
Tourism development	Provides grants for the development of tourism businesses off farm.

Title of Grant Available to Farmers	Brief Description of Purpose/Objective of Grant
NI Countryside Management Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.
Countryside Management Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.
Environmentally Sensitive Areas Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.
Organic Farming Scheme	The Scheme provides payments to help farmers with the additional costs and loss of income that occurs during the conversion period to organic production. It aims to help protect and enhance the rural environment, and help producers meet consumer demand for organic produce.
Habitat Improvement Scheme	Participants receive funding to manage areas on their farm to create, protect or enhance wildlife habitats.
Countryside Access Scheme	Participants receive funding to maintain walkways on their land.
European Fisheries Fund (Productive Investments in Aquaculture Measure) Open for applications until 31 December 2014	To support the construction, extension, equipping and modernisation of aquaculture production installations, in particular with a view to improving working conditions, hygiene, human or animal health, and product quality, while reducing negative impacts or enhancing positive impacts on the environment.
Forestry Challenge Scheme Open for applications until 10 October 2014	Grant aid to farmers and other landowners for creation of new woodland.
Woodland Environment Grant Open for applications.	Grant assistance to support woodland owners affected by Chalara ash dieback.
Restocking Grant Open for applications.	Grant assistance to support replanting of existing woodland after clearfelling.

Mr Easton asked the Minister of Agriculture and Rural Development to detail the current grants available to the fishing industry.
(AQW 36472/11-15)

Mrs O'Neill: The European Fisheries Fund (EFF) provides grant funding to assist the fishing industry and is currently open for applications. However, all applications must be made by the 31st December 2014 and spending completed on most projects by the end of September 2015. This is to facilitate the closure of the EFF programme on the 31st December 2015.

Work is well under way to implement the European Maritime and Fisheries Fund (EMFF) as a successor to the EFF. The EMFF scheme is currently scheduled to open for applications in the spring of 2015. Our regional share of the EMFF will allow some €29.1 million to be committed to support the fishing industry in the five years to 2020.

Mr Campbell asked the Minister of Agriculture and Rural Development, following the decision by a farming union group to organise a conference on rural crime in November 2014, what additional steps are being taken by her Department to highlight and deal with the problem.
(AQW 36665/11-15)

Mrs O'Neill: Responsibility for tackling rural crime lies primarily with the PSNI, however my Department, through its Veterinary Service Enforcement Branch (VSEB) works with the PSNI in tackling rural crime at an operational level through the sharing of intelligence, the exchange of training and the conducting of joint operations and investigations.

In particular VSEB uses its enforcement powers to carry out unannounced inspections of farm animals and premises suspected of involvement in rural crime. More serious criminality is referred to the police and DARD officials assist the police through the provision of expertise.

VSEB staff have been working closely with the PSNI, An Garda Siochana, and colleagues in the south's Department of Agriculture Food and the Marine and other Agencies (e.g. Local Councils, Food Standards Agency) in a number of investigations into livestock theft and livestock substitution.

DARD also continues to work with the Department of Justice, the PSNI and representatives of the farming community on a number of joint initiatives aimed at reducing rural crime and raising awareness of action that can be taken to help prevent rural crime, including Farm Watch, the Freeze-branding initiative and the Crimestoppers Campaign.

The UFU organised Rural Crime Conference is a good opportunity for my Department to engage with other stakeholders and encourage best practice and co-operation across the board.

I have met with the Chief Constable and the Minister of Justice on a number of occasions to highlight my concerns regarding rural crime and the impact it has on the farming community. Reducing levels of rural crime is a key priority of mine and my Department will continue to work closely with the Department of Justice, the PSNI and other partners in seeking to raise awareness and to reduce levels of rural crime, including farm related crime.

Mr D McIlveen asked the Minister of Agriculture and Rural Development what action is being taken, in addition to seminars, to educate Basic Payment Scheme applicants about new greening requirements.
(AQO 6734/11-15)

Mrs O'Neill: Over the past two months, DARD has issued a series of Press Articles providing an introduction to greening requirements and more detailed information on Crop Diversification and Ecological Focus Areas.

There are plans to issue a greening bulletin on the DARD website in the autumn. This will bring the DARD advice available on this subject into a single publication.

A series of seminars on Greening was undertaken during week commencing 15 September to advise farmers about what will they will be required to do to comply with the new 'greening' requirements.

Farmers need to be aware of the classification of fields they farm to understand what obligations they have to comply with greening requirements. Over the coming weeks, DARD will provide an online facility for farmers to check whether the fields they farm are classified as Permanent Grass, Arable or Permanent Crops. For farmers who are not able to access the DARD website, this information can be accessed through their local DARD Direct office.

Later this year, we will write to farmers who are most likely to have crop diversification or ecological focus area requirements to advise them of how the greening rules might affect their business and what they will need to do to meet them.

The Farm Advisory System (FAS) will assist farmers who wish to discuss how greening affects their farm business and identify what steps they need to take to comply with the new greening requirements. Farmers can access this service by contacting their local DARD Direct Office where they can speak to a CAFRE Crops Development Adviser.

There are a number of areas in relation to greening around which further clarification is being sought from the European Commission. It is anticipated that this clarification will be received over the coming weeks and months.

Mr Copeland asked the Minister of Agriculture and Rural Development why the move of her departmental headquarters to Ballykelly has not received a full cost-benefit analysis by the Department of Finance and Personnel.
(AQO 6730/11-15)

Mrs O'Neill: I can advise the Member that a very significant amount of analysis has been completed by my Department in determining the location and costs to develop the new Headquarters building in Ballykelly. The costs of the project, as identified in the business case, were shared with Ministers, including the Finance Minister.

On 26 June the Executive agreed to progress with the project and to provide the necessary funding based on the analysis provided. The costs will continue to be scrutinised as we move through the various stages of the project. I can further advise the Member that there are robust governance arrangements in place to ensure that costs are contained to the minimum necessary to deliver the project.

Mrs Dobson asked the Minister of Agriculture and Rural Development for an update on the definition of an active farmer.
(AQO 6732/11-15)

Mrs O'Neill: The Delegated Act implementing the CAP Reform agreement contains a provision that in 2015, entitlements to be issued under the new support regime must be allocated to the person enjoying the decision making power, the benefits and the financial risks in relation to agricultural activity being carried out on the land for which an allocation is requested.

This provision has particular relevance in the north of Ireland for land let under conacre arrangements. In general terms, it means that in 2015, when all existing SFP entitlements are abolished and new entitlements established, then landowners renting out land in conacre will not be able to establish entitlements on that land. The principle being that where land is let, then the farmer actively farming the land will be the one claiming direct payments on that land.

My Department is reviewing the information it holds for all farm businesses which submitted a Single Application Form in 2014 and will be writing to all businesses which the review suggests may not meet the active farmer conditions outlined to be allocated entitlements in 2015 proposing that a claim form will not be automatically issued to them next year. If the circumstances of those businesses have changed, they will be given the opportunity to advise us of the change and request an application form in 2015.

If we receive an application form next year from a claimant where our records show there is no evidence of agricultural activity e.g. a cross check with APHIS shows they have no herd or flock, my officials will investigate that business and where it is found that someone has not met the scheme requirements or artificially created conditions in an attempt to meet the criteria, they will be excluded from benefitting from this support and may also face penalties.

Mr F McCann asked the Minister of Agriculture and Rural Development for an update on the Rural Development Programme 2014-2020.
(AQO 6733/11-15)

Mrs O'Neill: The RDP Stakeholder Consultation Group considered the near final draft of the Programme at their last meeting on 24 September. My officials are working to finalise the draft programme with formal submission to the EU Commission expected in October. Formal approval by the EU Commission will depend on the nature and extent of the comments on the draft programme. My officials are working to obtaining an EU Commission decision by April 2015.

In conjunction with seeking EU approval on the overall funding package, my officials are working to design the detail of the schemes. The date for the opening of any calls will depend on the programme being approved by the European Commission and on getting the necessary business case approval.

Mr McGimpsey asked the Minister of Agriculture and Rural Development to outline the Rivers Agency's role in the South Belfast Flood Alleviation Schemes.
(AQO 6735/11-15)

Mrs O'Neill: River Agency is working in partnership with NI Water on an integrated project to address flooding issues in the Sicily Park and Greystown areas of South Belfast. The proposed scheme involves upgrading existing infrastructure and a business case is currently being prepared to establish the most cost effective options.

Rivers Agency is also proposing to take on responsibility for three privately maintained urban drains in the area, so that they can be upgraded and maintained at public expense. Subject to approval by the Drainage Council in October 2014, the upgrading works will follow over the next twelve months.

Department of Culture, Arts and Leisure

Mr Weir asked the Minister of Culture, Arts and Leisure how many projects in North Down have been supported through the Creative Industries Innovation Fund (CIIF2) since 2011.
(AQW 36008/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Since 2011, the following projects in your constituency have been supported through the Creative Industries Innovation Fund.

Finance Year	Organisation	Project Title	Award
2011-2012	Straandlooper Ltd	eBooks for Lifeboat Luke	10,000
2012-2013	Refound	ReFound	8,930
2012-2013	Belfast Free Tours	Experience Ireland - There's More to Belfast than Walls	8,500
2012-2013	Lost Number	Project Ninpo	9,950
2013-2014	Refound	Refound creative services and exportable products	9,924
2013-2014	Flickerpix Ltd	Monsta Mash (working title)	10,000
2013-2014	Dr Sarah McAleer & Eddie J Doherty	3d digital Design & Print Jewellery Project	9,996
2014-2015	Italic Pig Ltd	Schrödinger's Cat and the Irresistible Force - Story, Script, Character and Environment Development	10,000
2014-2015	Bob Price	Pitch & format development for The Green Notebook	10,000
2014-2015	eye4education	The Careers Game	9,500
Total			**96,800**

Ms Sugden asked the Minister of Culture, Arts and Leisure for an update on the measures taken by her Department to achieve the 'Sport Matters' commitment to increase sports participation amongst women, older people and people with disabilities.
(AQW 36165/11-15)

Ms Ní Chuilín: Progress against the targets set out in the Sport Matters Strategy is monitored by the Sports Matters Monitoring Group (SMMG), which I chair. Following the SMMG meeting in November 2013, the Group agreed to the publication of the annual 'Sport Matters Implementation Group Progress Report' for the period October 2012 to September 2013.

This report details activities and progress against all the targets within the Sport Matters Strategy, including those to increase sports participation amongst women, older people and people with disabilities. Currently, the targets to increase participation

amongst adults, women and older people are deemed to be on track. The target to increase participation amongst people with disabilities is deemed to be on track, but with some delay.

Examples of activities to address these targets include Sport NI's Active Communities Programme, Active Clubs Programme, Disability Sport NI's Disability 5 Star Challenge and ongoing investment in sporting facilities which are accessible by all members of local communities. The report is available on the DCAL website through the following link: www.dcalni.gov.uk/sport_matters_progress_report_2012-2013.pdf

The next annual progress report will be considered by the SMMG at its meeting in December 2014 and will be made publically available at that time.

Ms Sugden asked the Minister of Culture, Arts and Leisure for an update on the measures taken by her Department to achieve the 'Sport Matters' commitment to ensure that 90 per cent of the population are within twenty minutes of quality accredited, multi sports facilities.
(AQW 36167/11-15)

Ms Ní Chuilín: Sport Matters aims to achieve 90% of the population in the north accessing quality accredited, multi-sport facilities by 2019. In 2013, a review indicated a level of 73% assessed against a baseline of 65% in 2007.

My Department, through Sport NI is delivering significant investments to assist with achieving the target including a Community Capital Programme investment of £10,427,075 in over 46 capital projects. They aim to invest a further £17.5m of Lottery funding over a five year period.

Sport NI's Report, 'Bridging the Gap' encouraged the strategic development of sports facilities and bodies including District Councils and Universities, have used this to prioritise investment. SportNI also developed Active Places NI, a comprehensive database of sports facilities. They are currently working in partnership with Councils to deliver a Sports Facilities Strategy and 11 District Council Area Reports. The Strategy and Reports will provide a framework for the strategic delivery of sports facilities throughout the north.

Sport NI and the Department of Education have recently worked in partnership to publish the guidance toolkit Your School/Your Club to encourage the creation of multi-sport hubs within the school estate for use outside of school hours.

In developing the quality of facilities, Sport NI has invested significant financial and other resources into the development of a number of quality accreditation schemes.

Mr B McCrea asked the Minister of Culture, Arts and Leisure when her Department last reviewed whether it needed all of the information it requests for grant applications and performance reviews in the Arts; and what steps her Department is taking to reduce the overhead costs of these processes.
(AQW 36177/11-15)

Ms Ní Chuilín: My Department's funding for the Arts is mainly administered by the Arts Council. The Arts Council reviews the requirements of its grant programmes prior to the opening of each funding round.

The Arts Council (in consultation with the arts sector) has recently reviewed the monitoring requirements for its largest programme, the Annual Funding Programme. As a result, it has reduced the requirement for two monitoring returns a year to a single annual return.

The Arts Council has also been liaising with Belfast City Council with a view to reducing the reporting requirements on organisations which are in receipt of annual funding from both bodies.

A Civil Service wide project is ongoing to reduce bureaucracy in grant funding.

A final draft "Code of Practice" for grant funding has been developed for use by the Departments. The Code consists of principles and best practices which should be applied in grant funding the voluntary and community sector.

This "Code of Practice" is due to issue to departments for comment. When agreed the "Code of Practice" will be applied by all departments.

Mr Lyttle asked the Minister of Culture, Arts and Leisure what funding is available to assist cricket clubs with the installation of walls to protect residential areas; and whether any such funding has been awarded in the last five years.
(AQW 36194/11-15)

Ms Ní Chuilín: Sport NI, an arms length body of my Department, is responsible for the distribution of funding to sport in the north of Ireland.

Sport NI is currently considering a £17.5m Lottery investment that will seek to integrate the facility needs of community participants and performance athletes (where practicable) within the same multi-sport environment. This investment opportunity will take a strategic approach to identifying key sports and partners that have the potential to realise community benefits, produce high performance results and own/operate large scale sustainable facilities.

Subject to the outcomes of this work, a range of partners, including some cricket venues, may be in a position to avail of some of the funding.

In the last five financial years, Sport NI has provided funding to Cricket clubs for the provision of perimeter fencing as detailed below:

Year	Organisation Name	Project Title	Fund	Grant Amount
2013-14	Woodvale Cricket and Tennis Club	Perimeter Fencing	Exchequer	£48,498
2013-14	North Down Cricket Club	Supply and installation of ball stop fencing to a 140m length of boundary.	Exchequer	£30,000

In addition, other capital/equipment investments to cricket clubs include the following:

Year	Organisation Name	Project Title	Fund	Grant Amount
2009-10	Lisburn Cricket Club	Provision of 2 synthetic practice pitches with moveable safety netcages, plus extension bowling run ups	Exchequer	£26,033
2009-10	Muckamore Cricket & Tennis Club	Cricket wickets and training bays	Exchequer	£124,233
2009-10	Woodvale Cricket & Athletic Association	Construction of new cricket table, installation of new artificial pitch and installation of drainage plus purchase of equipment	Exchequer	£186,800
2010-11	Donaghcloney Cricket Club	Upgrade of 2 Bay synthetic practice area and the purchase of 4 mobile sight screens, wicket covers and a water remover	Exchequer	£29,712
2010-11	Dundrum Cricket Club	1 Artificial wicket, 2 portable nets, an equipment pack and 4 sight screens	Exchequer	£24,324

Mr Allister asked the Minister of Culture, Arts and Leisure what funding her Department, or any of its arm's-length bodies, provided to the Ardoyne community festival held in August 2014.
(AQW 36205/11-15)

Ms Ní Chuilín: Neither my Department nor its Arm's Length Bodies provided funding for the Ardoyne Fleadh in August 2014, although I do not preclude funding being made available to the fleadh in the foreseeable future.

Mr Swann asked the Minister of Culture, Arts and Leisure, pursuant to AQW 35410/11-15, to detail the value of the support received by each of the clubs.
(AQW 36267/11-15)

Ms Ní Chuilín: Under the Boxing Investment Programme, the Irish Amateur Boxing Association received almost £170,000 for the supply of equipment to Boxing Clubs which are affiliated to the IABA.

The value of support received by each of the clubs is detailed at Annex A. Boxing clubs deemed to be within the Greater Belfast area are marked with an asterisk within the table for your information.

Annex A

Club	Total Equipment Cost (£'s)
Abbey ABC	1,835.34
*Albert Foundry ABC	1,413.77
All Saints ABC	2,046.12
Antrim ABC	2,256.91
*Ardoyne Holy Cross ABC	2,256.91
Ards ABC	2,256.91
Ballykelly ABC	1,348.97
*Ballysillan ABC	1,964.94

Club	Total Equipment Cost (£'s)
Belfast ABC Kronk	1,818.97
Belleck ABC	1,348.97
Bishop Kelly ABC	1,624.57
Braid ABC	1,835.34
*Cairn Lodge ABC	2,046.12
Camlough ABC	1,478.57
Canal ABC	1,624.57
Carrickfergus ABC	1,754.17
Carrickmore ABC	1,624.57
*Carryduff ABC	1,835.34
Castle ABC	1,513
Churchlands	1,624.57
*City of Belfast	1,741.81
*Clonard ABC	2,256.91
Clonoe ABC	2,256.91
Coleraine ABC	1,624.57
Cookstown ABC	1,835.34
*Corpus Christi	1,689.37
Craigavon ABC	1,932.91
Derrylin ABC	1,754.17
*Dockers ABC	1,413.77
Downpatrick ABC	1,624.57
Dungannon ABC	1,624.57
East Down ABC	2,046.12
*Eastside ABC	2,256.91
Ederney ABC	1,624.57
Eglinton ABC	2,046.12
*Emerald ABC	1,835.34
Ennisikillen ABC	1,835.34
Errigal ABC	1,754.17
Gilford ABC	1,835.34
*Gleann ABC	1,964.94
*Hillview ABC	1,964.94
*Holy Family Belfast	1,835.34
*Immaculata ABC	2,256.91
Immaculata ABC (Strabane)	1,900.14
John McCoy Warrenpoint ABC	1,624.57
Kilmegan ABC	1,494.97
Larne ABC	1,835.34
*Ligoniel ABC	2,256.91
Lisburn ABC	1,624.57

Club	Total Equipment Cost (£'s)
Lisnafin ABC	1,624.57
Mark Heagney Kildress ABC	1,689.37
*Midland ABC	1,835.34
Moneyglass ABC	2,046.12
Moneymore ABC/Spring Hill	1,478.57
Moote ABC (Donaghadee)	1,835.34
Mourne Golden Gloves	1,624.57
Mourne All Blacks ABC	1,624.57
*Newington ABC	1,835.34
North Down ABC	2,046.12
Oak Leaf ABC	2,256.91
*Oliver Plunkett ABC	1,478.57
Omagh Boys & Girls	2,046.12
Phoenix ABC	1,900.14
*Red Triangle ABC	1,672.97
Ring ABC	1,624.57
Rochesters ABC	1,513
Sacred Heart ABC	1,754.17
Sacred Heart Omagh ABC	1,478.57
Saints ABC	1,835.34
Scorpion ABC	1,835.34
Sean Doran Keady ABC	1,689.37
Silverbridge ABC	1,835.34
*Spartons ABC	1,835.34
Springtown ABC	1,624.57
*St Agnes ABC	2,256.91
St Brigids ABC	1,689.37
St Bronaghs ABC	1,818.97
St Canices ABC	1,624.57
*St Georges ABC	1,689.37
St Jarlaths ABC (New)	1,543.37
*St John Bosco ABC (Belfast)	2,256.91
St John Bosco ABC (Newry)	1,818.97
St Johns ABC (Maghera)	1,835.34
St Joseph ABC	2,046.12
St Malachys ABC	1,413.77
St Marys ABC	1,835.34
St Patricks ABC	1,624.57
*St Pauls ABC	1,835.34
*Star ABC	1,689.37
The Loup ABC	1,413.77

Club	Total Equipment Cost (£'s)
The Skerries	1,835.34
Toome ABC	1,689.37
Townland ABC	1,964.94
Two Castles ABC	1,478.57

Mr Swann asked the Minister of Culture, Arts and Leisure, pursuant to AQW 35410/11-15, to list the boxing clubs from outside the Greater Belfast area that received indicative letters of offer for capital works.
(AQW 36269/11-15)

Ms Ní Chuilín: Under the capital element of the Boxing Investment Programme, in addition to Monkstown Amateur Boxing Club which received grant assistance for capital works, 44 clubs have received indicative letters of offer for capital works. A list of these clubs is attached at Annex A. Boxing clubs deemed to be within the Greater Belfast area are marked with an asterisk within the table for information.

Annex A

Club	Location
Immaculata ABC, Belfast	Belfast West
Holy Trinity ABC	Belfast West
Oliver Plunkett ABC	Belfast West
Cairn Lodge ABC	Belfast West
St Agnes ABC	Belfast West
St Pauls ABC	Belfast West
Clonard ABC	Belfast West
St John Bosco ABC, Belfast	Belfast West
Clonard ABC	Belfast West
Albert Foundary ABC	Belfast West
Corpus Christie ABC	Belfast West
City of Belfast Boxing Academy	Belfast City
Dockers Boxing Club	Belfast City
Star ABC	Belfast North
Holy Family Golden Gloves	Belfast North
ABC Kronk Belfast	Belfast North
Ardoyne Holy Cross BC	Belfast North
Newington ABC	Belfast North
Ligoniel ABC	Belfast North
Eastside ABC	Belfast East
Midland ABC	Belfast East
Glengormley ABC	Glengormley
*Saints ABC	Lisburn
*Lisburn ABC	Lisburn
*St Canice's ABC, Dungiven	Dungiven
*Loup Boxing Club	Magerafelt
*Errigal ABC	Derry
*Rochesters ABC	Derry
*Springtown ABC	Derry

Club	Location
*Oakleaf ABC	Derry
* St Josephs ABC	Derry
*Eglinton ABC	Derry
*Mourne Golden Gloves ABC	Strabane
*Pheonix ABC	Lurgan
*Sean Doran ABC	Keady
*Dungannon Boxing Club	Dunagannon
*Coleraine ABC	Coleraine
*Antrim ABC	Antrim
*Moneyglass ABC	Toome
*The Skerries ABC, Portrush	Portrush
*Castle ABC	Carrickfergus
* Hillview ABC	Newtownabbey
*Monkstown Boxing Club	Newtownabbey
*Spartans ABC	Newtownabbey

Ms Sugden asked the Minister of Culture, Arts and Leisure for an update on the steps her Department is taking to address sports participation rates in the top 30 per cent most deprived areas, where rates are significantly lower than the national average.
(AQW 36368/11-15)

Ms Ní Chuilín: DCAL secured funding of £4.5m within the current CSR period towards a programme for promoting equality, tackling poverty and social exclusion through sport. This funding was distributed equally between Ulster Council GAA, Ulster Branch Irish Rugby Football Union and Irish Football Association over a three year period and up until 31st March 2015. Programmes and projects are being implemented by these sports and include opportunities across the north of Ireland, including in the top 30% most deprived areas.

Sport NI also delivers a range of programmes and projects with this focus. These include: -

1. Active Communities

Active Communities is a Sport NI National Lottery Funded initiative that provides opportunities for participation in sport and physical recreation in communities throughout the north of Ireland, and especially among underrepresented groups. The initiative is delivered in partnership with local District Councils across the north of Ireland.

In 2013/14, a total of 109,129 people participated in Active Communities a total of 1.04 million times. 34,267 (31.4%) of those participants came from the 0-30% most disadvantaged communities in the north as follows:

Most Disadvantaged %	National Population %	Participants %	Participants
0 – 10	9.1%	12.1%	13,205
10 – 20	9.8%	10%	10,913
20 - 30	9.9%	9.3%	10,149
Total	**28.8%**	**31.4%**	**34,267**

In addition, Sport NI is undertaking the following:

- Investment in and deployment of 117 Active Communities coaches;
- Embedding targets for engagement in and benefits for sports clubs in areas of greatest need through the Active Clubs programme;
- Prioritising applications from areas of greatest need through the Active Awards for Sport programme;
- Engagement with schools in, or serving, areas of high social need through Activ8 initiatives;
- Through the Midnight Street Soccer programme, Sport NI has invested £329,600 in football programmes serving targeted areas of greatest need; and
- Sport NI is working with strategic partner organisations such as Outdoor Recreation NI and Disability Sport NI to support improved engagement in areas of high social need through outdoor (adventure) activities and for people with a disability.

2. Boxing Investment Programme

The Boxing Investment Programme specifically targets boxing clubs that could have a positive impact on participant rates in Super Output Areas and Neighbourhood Renewal areas. This was accomplished by prioritising projects to boxing clubs based in or near these areas.

3. Tollymore National Outdoor Centre

Sport NI's national outdoor centre at Tollymore is also developing interventions for increasing participation opportunities for people, especially among underrepresented groups, and includes the following measures in relation to the most deprived areas:

- Providing 'outreach' programmes for those who live in areas of greatest need;
- Developing partnerships with a range of organisations, to provide hill walking, canoe-sport and mountain biking opportunities in areas such as the Belfast Hills and the Lagan Corridor;
- Developing a network within community youth workers to ensure opportunities for training are maximised;
- Provision of a wide range of open days and introductory skills courses and sessions. A number of these courses will be provided off site to provide groups from areas of greatest need with the opportunity to participate in adventure sports;
- Developing, piloting and rolling out low cost leadership training in a number of off-site locations;
- Establishing a support structure for those who work in adventure sports in areas of greatest need, which will provide CPD opportunities; and
- 20 bursaries to be provided for leaders who work with groups in areas of greatest need.

Ms Sugden asked the Minister of Culture, Arts and Leisure what communication her Department is having with the relevant stakeholders to address the delay in the development of the Dungiven Sports Complex as a City of Culture Capital Legacy Project.
(AQW 36449/11-15)

Ms Ní Chuilín: Limavady Borough Council is responsible for developing plans for a £7 million sports and community facility in the Dungiven area. My officials and I have met with the Council a number of times in this regard.

I understand that the project is still at the initial stages of development and planning. A draft business case for a phased element of the project was received by my Department and Sport NI is currently working with Limavady Borough Council to produce a final draft of the business case.

My Department is still committed to seeking to provide the £2.5 million funding sought by Limavady Borough Council towards the development of the project. Provision of this funding will be subject to budget availability and the approval of a business case, which will include confirmation of necessary partnership funding for the project.

I will be meeting Liam Flanigan again, Chief Executive, Limavady Council to discuss the way forward for the Dungiven sports and community facilities project.

Ms Sugden asked the Minister of Culture, Arts and Leisure what responsibility her Department has for ensuring that funding allocated for City of Culture Capital Legacy Projects in the North West is appropriately distributed and used.
(AQW 36450/11-15)

Ms Ní Chuilín: I secured over £2m for the January to March 2014 period to support continuation of key projects from the City of Culture's cultural programme and to prevent the loss of key benefits, partnerships and momentum after December 2013. This included strategic investment for sports facility development and other capital projects.

To ensure that additional funding for the North West is appropriately distributed and used, I have established a North West Office. Officials work on the ground, directly with communities and organisations in the North West to provide support. A North West team of three officials is in place with the Branch Head currently based in Derry in Orchard House.

My officials work closely with Sport NI and other relevant stakeholders to ensure sports capital projects in the North West are delivered.

Additional capital funding to support a sporting and cultural infrastructure programme across the North West will be subject to sufficient funding being made available through the October monitoring round.

Mrs McKevitt asked the Minister of Culture, Arts and Leisure whether she will host a civic reception in Parliament Buildings to honour the Down Ladies Football team after they won the All-Ireland Intermediate Final at Croke Park.
(AQW 36659/11-15)

Ms Ní Chuilín: It was an incredible achievement for the Down Ladies Football team to win the All-Ireland Intermediate Football title and I have previously publicly congratulated the team on their success.

I intend to host a reception in Parliament Buildings on Tuesday 7 October 2014 for all Ulster GAA team successes during 2013/14, including the Down Ladies Football Team, to celebrate their remarkable achievements.

Department of Education

Mrs Cochrane asked the Minister of Education to detail (i) the number of staff employed in his Department broken down by grade; and (ii) the total salary for each grade, for each financial year since 1 April 2010.
(AQW 35338/11-15)

Mr O'Dowd (The Minister of Education):

Analagous Grades	2010/11	2011/12	2012/13	2013/14
Admin Assistant	42.17	50.67	43.17	42.42
Admin Officer	142.92	134.17	134.50	128.25
Deputy Principal	84.67	77.00	80.00	95.00
Executive Officer I	59.75	61.50	60.42	64.33
Executive Officer II	105.17	96.67	97.25	101.75
Grade 2	2.83	2.83	2.00	2.00
Grade 3	2.50	1.92	2.17	2.58
Grade 5	13.08	12.42	13.67	14.17
Grade 6	63.92	59.92	57.00	56.67
Grade 7	38.92	37.08	41.00	46.08
Staff Officer	71.75	72.58	74.08	82.08
Grand Total	**627.67**	**606.75**	**605.25**	**635.33**

(ii) Staff Salary Costs (broken down by analogous grade)

Analagous Grades	2010/11	2011/12	2012/13	2013/14
Admin Assistant	767,019.34	1,012,662.27	804,154.62	811,367.73
Admin Officer	2,965,382.68	3,100,605.89	3,049,339.35	2,982,387.03
Deputy Principal	3,643,677.72	3,449,567.15	3,643,546.63	4,383,935.46
Executive Officer I	1,870,691.85	1,820,950.94	1,832,361.74	2,010,474.47
Executive Officer II	2,550,810.17	2,560,819.72	2,640,675.16	2,884,566.94
Grade 2	390,637.82	390,062.21	345,990.24	350,349.33
Grade 3	298,812.76	227,325.73	267,201.05	314,585.02
Grade 5	1,115,716.51	1,131,531.53	1,168,439.29	1,205,564.14
Grade 6	4,704,404.74	4,650,015.72	4,457,757.29	4,541,246.34
Grade 7	2,289,416.68	2,231,121.89	2,493,347.70	2,852,292.14
Staff Officer	2,563,054.20	2,555,220.83	2,710,754.20	3,048,779.67
Grand Total	23,159,624.47	23,129,883.88	23,413,567.27	25,385,548.27

Mr Dallat asked the Minister of Education to detail the cost of conferences, including room hire, hospitality, travel and associated fees, broken down by Education and Library Board, in each of the last five years.
(AQW 35801/11-15)

Mr O'Dowd: The cost of conferences, broken down by Education and Library Board, in each of the last five years, is shown in the table below.

	2009-10 £'000	2010-11 '000	2011-12 £'000	2012-13 £'000	2013-14 £'000
BELB	26	2	1	4	3
NEELB	71	58	18	24	27
SELB	65	54	52	30	73

	2009-10 £'000	2010-11 '000	2011-12 £'000	2012-13 £'000	2013-14 £'000
SEELB	61	35	22	47	31
WELB	59	19	5	2	16
Total	**282**	**168**	**98**	**107**	**150**

It has not been possible to disaggregate specific travel costs associated with conferences from general travel costs across the ELBs and they have therefore not been included.

Mr Lunn asked the Minister of Education, given that he recently noted that selection should be seen not only as an educational issue but also a social action issue, for his assessment of whether the segregation of children and young people in the education system is as a social action issue as well as an educational issue.
(AQW 35806/11-15)

Mr O'Dowd: Our education system is founded on the principle of parental choice, and has a rich diversity of school types within it.

My school improvement policy, 'Every School A Good School', and my Department's commitments in the Executive's Programme for Government, take into account the impact of wider social issues in helping or hindering progress.

Mr Campbell asked the Minister of Education how many (i) primary; and (ii) post-primary schools in East Londonderry currently require (a) major capital repair works; and (ii) completely new school buildings.
(AQW 36056/11-15)

Mr O'Dowd: Prior to my major capital investment announcement of 24 June 2014, my Department considered proposals submitted by Education & Library Boards and other school authorities on potential new build projects for schools in their areas that required major capital works. Nine schools were submitted for consideration by the Western Education & Library Board as follows:

(i) Primary Schools (PS)
- Ballykelly PS
- Roe Valley Integrated PS
- Millstrand Integrated PS
- Listress PS

(ii) Post Primary Schools
- St Paul's College
- North Coast Integrated College
- Coleraine Academical Institution
- Loreto College
- Dominican College

When the approved protocol for selection of 2014 new builds was applied in June, Roe Valley IPS was announced to be advanced in planning for a new school build.

The remaining schools put forward were not included in my announcement at that time due to area planning/sustainability issues and/or budget constraints.

Subsequent to my June announcement, on 18 August 2014 I approved the amalgamation of Listress PS, Craigback PS and Mullaghbuoy PS and a new build will proceed in due course.

Regarding other major works I can confirm that Coleraine Academical Institution has been approved under the School Enhancement Programme for partial refurbishment consisting of rewiring, refurbishment of heating distribution, Mechanical and Electrical Services and a building fabric upgrade.

The selection of new major works has, in the main, been on the basis of effecting rationalisation; supporting unmet need; addressing serious accommodation inadequacies and schools operating on split sites, substandard conditions or overcrowding; or addressing undue reliance on temporary accommodation.

The reality is that the budget settlement for Education means the need for investment far exceeds the funds available to me and many schools in need of investment are competing for limited capital funding.

Mr Weir asked the Minister of Education to detail the money allocated as a result of the joint health and education project part-funded by Atlantic Philanthropies targeting early intervention.
(AQW 36224/11-15)

Mr O'Dowd: The Early Intervention Transformation Programme (EITP) is part of the Delivering Social Change /Atlantic Philanthropies Signature Programme, aimed at improving outcomes for children and young people through embedding early intervention approaches. The EITP programme has total investment of £30m over four years. The programme consists of three projects, Early Intervention Transformation, Dementia and Shared Education. DHSSPS lead the development of the Early Intervention Transformation project in partnership with the other funders.

The EITP seeks to transform how mainstream services are delivered to children to deliver a long term legacy of improvement. There are three EITP work streams, which are focused on families and children with differing levels of need.

Work Stream One in which DE is involved, aims to improve outcomes for children by supporting parents to understand and fulfil the critical role they play in their children's development in the early years. This work stream is focused on improving outcomes relating to universal early years provision through changing practice in midwifery, health visiting and funded pre-school early years settings. There are three components of Work Stream One, as detailed below:

Getting Ready for Baby – focused on transforming maternal care, both hospital and community based, from the initial GP appointment to delivery;

Getting Ready for Toddler – focused on embedding early intervention in core health visiting, with a focus on improving the social and emotional development of children prior to attending pre-school nursery; and

Getting Ready to Learn – focused on improving outcomes for children in pre-school by engaging and empowering parents to build strong home learning environments.

Detailed proposals will be developed in collaboration with key stakeholders across health and early years education. Proposed timescales aim to introduce the programme in 2015.

The level of investment for the Getting Ready to Learn component, which DE is leading, is likely to be approx £3.25m (£1.25m/£1m/£1m) over 2015-18.

Mr Weir asked the Minister of Education to detail the proposed timescales for the joint health and education project on early intervention that will be part-funded by Atlantic Philanthropies.
(AQW 36226/11-15)

Mr O'Dowd: The Early Intervention Transformation Programme (EITP) is part of the Delivering Social Change /Atlantic Philanthropies Signature Programme, aimed at improving outcomes for children and young people through embedding early intervention approaches. The EITP programme has total investment of £30m over four years. The programme consists of three projects, Early Intervention Transformation, Dementia and Shared Education. DHSSPS lead the development of the Early Intervention Transformation project in partnership with the other funders.

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The level of investment for the Getting Ready to Learn component, which DE is leading, is likely to be approx £3.25m (£1.25m/£1m/£1m) over 2015-18.

Mr Weir asked the Minister of Education to detail the proposed funding in 2015/16 for occupational studies courses.
(AQW 36246/11-15)

Mr O'Dowd: Occupational Studies (OS) is counted as an applied course under the Entitlement Framework and is typically taken by learners at Key Stage 4. It provides young people with opportunities to sample work-related learning within occupational contexts and to develop their skills in literacy, numeracy and ICT.

In line with the principles of breadth and balance within the Entitlement Framework OS provides a different learning opportunity that may suit some of our young people better. In terms of the employability prospects for vulnerable young people or indeed any young person, OS allows them an opportunity to test out an area before embarking on further training or pursuing employment in that area.

Schools are funded through the Local Management of Schools arrangements to meet their statutory duties, including delivering the curriculum and providing appropriate access to courses for their pupils. Therefore it is a matter for schools to manage their budget and ensure their curricular provision meets the needs of their pupils– the Department does not provide specific funding for specific courses. Under the Entitlement Framework the Department has provided additional support while schools expand their curricular offer to meet their statutory requirements. This additional funding provides a contribution to courses delivered on a collaborative basis. Based on the Entitlement Framework Audit which schools complete each year, over the years 2011/12 – 2013/14 schools have received in the region of 3m/ 3.3m/ 2m towards the cost of OS courses delivered on a collaborative basis.

Also based on the Audit, the available pupil level information may include some double counting as it does not identify where a pupil is undertaking more than one OS course. In 2011/12 there were 11,121 pupils across the range of OS courses; in 2012/13 there were 12,280 pupils; and, in 2013/14 there were 12,426 pupils.

My Department has asked CCEA to ensure that guidance for teachers clearly maps the OS specifications to the statutory cross-curricular and other skills at Key Stage 4, to support teachers in considering the appropriateness of OS for their pupils and to make clear where this course supports literacy and numeracy development in particular. My Department also agreed to the recommendation that the grading of OS courses be changed from “pass” to “distinction/ merit/ pass” from the 2013/14 school year. This is to better recognise the achievements of our young people, who are at the centre of all my work.

Mr Weir asked the Minister of Education for his assessment of the impact of occupational studies courses in improving employability among vulnerable young people.
(AQW 36247/11-15)

Mr O’Dowd: Occupational Studies (OS) is counted as an applied course under the Entitlement Framework and is typically taken by learners at Key Stage 4. It provides young people with opportunities to sample work-related learning within occupational contexts and to develop their skills in literacy, numeracy and ICT.

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Mr Weir asked the Minister of Education how his Department plans to support occupational studies courses.
(AQW 36248/11-15)

Mr O’Dowd: Occupational Studies (OS) is counted as an applied course under the Entitlement Framework and is typically taken by learners at Key Stage 4. It provides young people with opportunities to sample work-related learning within occupational contexts and to develop their skills in literacy, numeracy and ICT.

In line with the principles of breadth and balance within the Entitlement Framework OS provides a different learning opportunity that may suit some of our young people better. In terms of the employability prospects for vulnerable young people or indeed any young person, OS allows them an opportunity to test out an area before embarking on further training or pursuing employment in that area.

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Mr Weir asked the Minister of Education how many students have benefited from occupational studies courses in each of the last three years.
(AQW 36249/11-15)

Mr O’Dowd: Occupational Studies (OS) is counted as an applied course under the Entitlement Framework and is typically taken by learners at Key Stage 4. It provides young people with opportunities to sample work-related learning within occupational contexts and to develop their skills in literacy, numeracy and ICT.

In line with the principles of breadth and balance within the Entitlement Framework OS provides a different learning opportunity that may suit some of our young people better. In terms of the employability prospects for vulnerable young people or indeed any young person, OS allows them an opportunity to test out an area before embarking on further training or pursuing employment in that area.

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Also based on the Audit, the available pupil level information may include some double counting as it does not identify where a pupil is undertaking more than one OS course. In 2011/12 there were 11,121 pupils across the range of OS courses; in 2012/13 there were 12,280 pupils; and, in 2013/14 there were 12,426 pupils.

My Department has asked CCEA to ensure that guidance for teachers clearly maps the OS specifications to the statutory cross-curricular and other skills at Key Stage 4, to support teachers in considering the appropriateness of OS for their pupils and to make clear where this course supports literacy and numeracy development in particular. My Department also agreed to the recommendation that the grading of OS courses be changed from “pass” to “distinction/ merit/ pass” from the 2013/14 school year. This is to better recognise the achievements of our young people, who are at the centre of all my work.

Mr Weir asked the Minister of Education to detail the level of departmental funding to occupational studies courses in each of the last three years.
(AQW 36250/11-15)

Mr O’Dowd: Occupational Studies (OS) is counted as an applied course under the Entitlement Framework and is typically taken by learners at Key Stage 4. It provides young people with opportunities to sample work-related learning within occupational contexts and to develop their skills in literacy, numeracy and ICT.

In line with the principles of breadth and balance within the Entitlement Framework OS provides a different learning opportunity that may suit some of our young people better. In terms of the employability prospects for vulnerable young people or indeed any young person, OS allows them an opportunity to test out an area before embarking on further training or pursuing employment in that area.

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Also based on the Audit, the available pupil level information may include some double counting as it does not identify where a pupil is undertaking more than one OS course. In 2011/12 there were 11,121 pupils across the range of OS courses; in 2012/13 there were 12,280 pupils; and, in 2013/14 there were 12,426 pupils.

My Department has asked CCEA to ensure that guidance for teachers clearly maps the OS specifications to the statutory cross-curricular and other skills at Key Stage 4, to support teachers in considering the appropriateness of OS for their pupils and to make clear where this course supports literacy and numeracy development in particular. My Department also agreed to the recommendation that the grading of OS courses be changed from "pass" to "distinction/ merit/ pass" from the 2013/14 school year. This is to better recognise the achievements of our young people, who are at the centre of all my work.

Mr Hussey asked the Minister of Education how many children diagnosed with attention deficit hyperactivity disorder have received funded education outside of Northern Ireland, in each of the last five years.
(AQW 36270/11-15)

Mr O'Dowd: The Education and Library Boards have advised that the number of children diagnosed with attention deficit hyperactivity disorder who have received funded education outside of the north of Ireland, in each of the last five academic years, is as follows:

	2009/10	2010/11	2011/12	2012/13	2013/14
BELB	0	0	0	0	0
NEELB	0	0	0	0	0
SEELB	1	1	1	0	0
SELB	0	0	0	0	0
WELB	0	0	0	0	0

Mr Hussey asked the Minister of Education, in relation to the Middletown Centre for Autism, to detail (i) how many children with autism spectrum disorder have been referred the centre, broken down by Education and Library Board; and (ii) how many children from the Republic of Ireland have benefited from the centre, in each of the last five years.
(AQW 36272/11-15)

Mr O'Dowd: The Chief Executive of the Middletown Centre for Autism (MCA) has advised that the number of children who have been referred to MCA in the north of Ireland, broken down by Education and Library Board, is as follows:

	BELB	NEELB	SEELB	SELB	WELB
1 September 2009 – 31 August 2010	1	0	0	1	0
1 September 2010 – 31 August 2011	1	1	1	1	1
1 September 2011 – 31 August 2012	1	1	1	1	1
1 September 2012 – 31 August 2013	2	1	1	1	1
1 September 2013 – 31 August 2014	7	6	6	6	6

The Middletown Centre for Autism also provides a range of support and intervention to professionals, parents and children with autism. Parents can avail of a range of training courses provided free of charge by the Centre and can access a broad range of online learning resources, including training video materials.

The Centre is also currently expanding its programme of direct support and intervention to children with complex autism who are referred to it by the ELBs.

In the south of Ireland referrals to the Learning Support and Assessment Service in MCA only commenced this year and the number of children who were referred was six. Prior to this the Department of Education and Skills had prioritised the provision of training and support for the parents of children and young people with autism.

Mr Storey asked the Minister of Education how much funding has been made available by his Department to deal with the transport needs of children from North Belfast attending Coláiste Feirste, in each of the last three years.
(AQW 36274/11-15)

Mr O'Dowd: The Belfast Education and Library Board has advised me that pupils from North Belfast attending Coláiste Feirste who are eligible for assistance with transport under the Home to School Transport Policy have been provided with the following funding in respect of sessional tickets (bus passes) in the last three school years. No funding was provided for taxis or buses.

Year	Cost
2011/12	£13,110
2012/13	£14,250

Year	Cost
2013/14	£17,382

In addition, my Department has a statutory duty to encourage and facilitate Irish medium education and, reflecting this duty, recently agreed to provide a grant under Article 89(2) of the Education (NI) Order 1998 to Coláiste Feirste. The grant is to be used for the purpose of removing barriers for some pupils attending the school, primarily those for whom public transport or other transport services are not readily accessible. The grant will be available for 3 years to give the Board of Governors of Coláiste Feirste time and space to actively engage with Translink and other transport providers to establish a long term solution to the transport needs of pupils attending the school, with a view to the grant no longer being required.

Mr Storey asked the Minister of Education to detail the number of specific grants which have been made by his Department to individual schools to deal with the transport needs of pupils, in each of the last three years.
(AQW 36275/11-15)

Mr O'Dowd: Under existing Home to School Transport Policy, assistance with transport is generally only provided by Boards to eligible pupils either in the form of a seat on a bus / taxi or a monetary allowance.

However, my Department has a statutory duty to encourage and facilitate Irish medium education and, reflecting this duty, recently agreed to provide a grant under Article 89(2) of the Education (NI) Order 1998 to Coláiste Feirste. The grant is to be used for the purpose of removing barriers for some pupils attending the school, primarily those for whom public transport or other transport services are not readily accessible. The grant will be available for 3 years to give the Board of Governors of Coláiste Feirste time and space to actively engage with Translink and other transport providers to establish a long term solution to the transport needs of pupils attending the school, with a view to the grant no longer being required.

Mr Storey asked the Minister of Education to detail the number of teacher redundancies, broken down by (a) sector; and (b) Education and Library Board, in each of the last three years.
(AQW 36276/11-15)

Mr O'Dowd: The number of teacher redundancies over each of the last three academic years is detailed in the tables below. Please note the figures for CCMS have been broken down by Education and Library Board area and incorporated into the overall figures below.

The symbol # indicates that due to the small numbers involved a high level of suppression would be required to prevent the identification of an individual. This guidance is in accordance with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

Voluntary Grammar and Grant Maintained Integrated Schools are not included in this request.

BELB Area				**NEELB AREA**			
Sector	**11/12**	**12/13**	**13/14**	**Sector**	**11/12**	**12/13**	**13/14**
Nursery	0	0	0	Nursery	0	0	0
Primary	9.1	15	0	Primary	22	20	#
Post-Primary	52.5	31	17	Post-Primary	66.5	33	23
Special	#	0	#	Special	0	0	0
Other	#	0	#				

SEELB Area				**SELB AREA**			
Sector	**11/12**	**12/13**	**13/14**	**Sector**	**11/12**	**12/13**	**13/14**
Nursery	0	0	0	Nursery	0	0	0
Primary	36	#	#	Primary	47.06	12	7
Post-Primary	81.6	23	8	Post-Primary	64	40	11
Special	0	0	0	Special	0	0	0
				Other	0	0	0

WELB Area			
Sector	**11/12**	**12/13**	**13/14**
Nursery	0	0	0
Primary	30.6	9	#
Post-Primary	62	40	7
Special	#	0	#
Other	#	#	0

Mr Kinahan asked the Minister of Education how his Department will support the establishment of a Greater Shankill Children and Young People zone; and to detail what progress has been made identifying a budget to implement the framework for the action zone over the next five years.
(AQW 36295/11-15)

Mr O'Dowd: I am encouraged by the commitment shown by the community leaders and the Greater Shankill Community Convention in declaring a Zone that aims to improve the life chances of children and young people in the area, and by the recognition that the community itself has a particular and significant role to play.

I have already given a commitment to support the work of the Convention and I have responded positively to a request to nominate a senior DE official to engage with the Steering Group on the next steps in taking forward the work to improve outcomes for the children and young people of the area. That engagement is well underway. This is in addition to the work that the Department and the Belfast Education & Library Board is already undertaking in the area.

The focus that the Convention is adopting in its engagement with government departments is on how we make best use of the very considerable resources already provided for programmes and projects that operate within the Greater Shankill area. Recognising that improving children's educational achievements and life chances requires a partnership approach, the focus of the Ministers who have endorsed the Zone is on how we work together to plan and implement our various programmes in a joined up manner so that they deliver the most effective impact for children and young people in the Greater Shankill.

Mr Storey asked the Minister of Education to detail for each of the last three years (i) the requests made by individual schools for an increase in their admission and enrolment numbers; and (ii) the outcome in each case.
(AQW 36331/11-15)

Mr O'Dowd: In my responses to AQW 15270/11-15 and AQW 30500/11-15, I explained that prior to the middle of the 2012/13 school year, the Department of Education did not electronically record statistics on the numbers of schools requesting temporary increases to their admission and enrolment numbers and, of these, which requests were approved. This means that some of the data requested is unavailable and could only be extracted by a manual exercise at disproportionate cost.

The years for which this data is available are the 2013/14 and 2014/15 (to date) school years and the figures, as close as possible to the format you have requested, are as follows:

Primary Schools

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
2013/14 School Year				
Springfield Primary School	1	0	0	0
Carr's Glen Primary School	1	0	1	0
Stranmillis Primary School	2	0	0	0
St Michael's Primary School	0	1	0	1
St Joseph's Primary School	1	0	0	0
St Mary's Primary School	0	1	0	1
Holy Family Primary School	0	1	0	0
Scoil An Droichid	3	0	3	0
Gaelscoil na Mona	1	0	1	0
Forge Integrated Primary School	14	0	11	0
Cranmore Integrated Primary School	1	0	1	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
Kesh Primary School	4	0	4	0
Belleek(2) Primary School	0	2	0	2
Ballougry Primary School	5	2	5	2
Edwards Primary School	12	0	6	0
Strabane Controlled Primary School	0	13	0	7
Greenhaw Primary School	3	0	2	0
Maguiresbridge Primary School	1	0	1	0
Enniskillen Model Primary School	1	0	1	0
Ardstraw Jubilee Primary School	1	0	0	0
St Ninnidh's Primary School	8	0	7	0
St Mary's Primary School	9	2	9	2
Broadbridge Primary School	0	8	0	8
St Mary's Primary School	6	0	4	0
Drumlish Primary School	5	0	1	0
St Lawrence's Primary School	6	0	6	0
St Patrick's Primary School	1	0	0	0
St Columbkille's Primary School	7	2	7	0
Faughanvale Primary School	1	0	0	0
St Patrick's Primary School	4	0	4	0
St Dympna's Primary School	10	3	5	1
Good Shepherd Primary School and Nursery School	1	0	1	0
Chapel Road Primary School	12	0	1	0
Gaelscoil na gCrann	8	0	7	0
Enniskillen Integrated Primary School	3	0	4	0
Omagh Integrated Primary School	0	6	0	6
Oakgrove Integrated Primary School	2	0	2	0
Garryduff Primary School	1	0	0	0
Woodburn Primary School	0	-1	0	-1
Creavery Primary School	0	2	0	0
Eden Primary School	1	0	0	0
Lislagan Primary School	6	2	0	0
Gracehill Primary School	1	4	1	2
Straidbilly Primary School	0	1	0	0
Greenisland Primary School	6	0	2	0
Clough Primary School	0	2	0	0
The Wm Pinkerton Memorial Primary School	4	0	0	0
Fourtowns Primary School	3	0	1	0
Culcrow Primary School	9	1	7	1
Damhead Primary School	2	0	2	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
Magherafelt Controlled Primary School	6	0	4	0
Macosquin Primary School	5	2	0	2
Templepatrick Primary School	1	0	0	0
Mossley Primary School	3	1	0	1
Harpurs Hill Primary School	1	0	0	0
Earlview Primary School	1	0	0	0
Fairview Primary School	0	0	0	0
Creggan Primary School	2	2	2	2
St Mary's Primary School	1	2	1	2
Mount St Michael's Primary School	2	0	2	0
St Brigid's Primary School	1	0	1	0
St Brigid's Primary School Tirkane	4	0	4	0
New Row Primary School	0	0	0	0
St Trea's Primary School	5	0	1	0
St John Bosco Primary School Ballynease	0	1	0	1
St John's Primary School	2	0	2	0
St Patrick's & St Joseph's Primary School	5	1	5	1
St Oliver Plunkett's Primary School	5	0	5	0
Glenravel Primary School	0	0	0	0
St Brigid's Primary School	12	2	12	2
St Macnissi's Primary School	5	1	2	1
St Columba's Primary School	6	0	5	0
St Patrick's Primary School (Glen)	2	0	2	0
St Colmcille's Primary School	0	3	0	3
St Brigid's Primary School	19	21	19	18
Gaelscoil Ghleann Darach	0	1	0	1
Gaelscoil Eanna	18	0	18	0
Ballycastle Integrated Primary School	1	0	1	0
McKinney Primary School Dundrod	2	0	0	0
Ballyvester Primary School	3	0	1	0
Grey Abbey Primary School	1	0	1	0
Moneyrea Primary School	1	0	1	0
Londonderry Primary School	2	0	0	0
Towerview Primary School	3	0	0	0
Maghaberry Primary School	1	0	0	0
Ballymacash Primary School	6	5	1	5
Glasswater Primary School	1	0	1	0
St Patrick's Primary School	5	1	3	1
St Francis' Primary School	2	0	2	0
St Joseph's Primary School	1	0	1	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
St Mary's Primary School	3	0	1	0
St Macartan's Primary School	1	0	0	0
St Patrick's Primary School	0	2	0	10
St Brigid's Primary School	1	0	1	0
St Colman's Primary School	5	0	5	0
St Comgall's Primary School	23	5	3	2
Our Lady Queen of Peace Primary School	0	0	0	0
Christ the Redeemer Primary School	25	0	0	0
St Mary's Primary School	10	0	10	0
St Ita's Primary School	1	0	1	0
Scoil na Fuiseoige	2	0	0	0
Kircubbin Integrated Primary School	11	24	7	26
All Childrens Integrated Primary School	1	15	1	9
Oakwood Integrated Primary School	1	0	1	0
Millennium Integrated Primary School	18	10	18	9
Drumlins Integrated Primary School	5	0	4	0
Rowandale Integrated Primary School	4	0	4	0
Mullavilly Primary School	1	6	0	2
Armstrong Primary School	0	2	0	2
Clare Primary School	1	0	1	0
Waringstown Primary School	2	0	2	0
Bleary Primary School	3	0	1	0
Maralin Village Primary School	2	0	2	0
Aughnacloy Primary School	2	4	2	3
Donaghmore Primary School	2	0	0	0
Augher Central Primary School	2	0	1	0
Fivemiletown Primary School	2	0	0	0
Bocombra Primary School	9	1	1	0
Markethill Primary School	14	5	7	5
Bronte Primary School	2	0	1	0
Drumadonnell Primary School	15	1	15	1
Orchard County Primary School	6	0	3	0
Killyman Primary School	4	0	3	0
St Oliver Plunkett Primary School	1	0	1	0
Dromintee Primary School	2	2	1	1
St Malachy's Primary School	0	0	0	0
St Oliver's Primary School (Carrickrovaddy)	0	0	0	0
St Patrick's Primary School	12	0	6	0
St Patrick's Primary School	2	0	0	0
St Brigid's Primary School	19	0	10	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
St Brigid's (Drumilly) Primary School	0	0	0	0
St Mary's Primary School	4	0	1	0
St Peter's Primary School	1	0	0	0
Ballyholland Primary School	3	0	0	0
St Patrick's Primary School	1	0	1	0
Holy Cross Primary School	0	0	0	0
St Mary's Primary School	13	0	11	0
St Patrick's Primary School	7	1	5	1
Roan St Patrick's Primary School	0	1	0	1
St Mary's Primary School	2	0	2	0
St Patrick's Primary School	22	1	22	1
St Joseph's Primary School	10	0	10	0
St Mary's Primary School	1	0	1	0
St Colman's Primary School and All Saints' Nursery Unit	11	3	5	2
St Mary's Primary School	2	0	1	0
St Mary's Primary School	1	0	1	0
St Jarlath's Primary School	4	0	2	0
St Mary's Primary School , Aughnacloy	7	4	5	4
St Francis' Primary School , Aghderg	26	0	1	0
St Patrick's Primary School Dungannon	9	30	9	27
St Colman's Primary School	7	2	4	2
St Johns Primary School	7	0	7	0
St Francis Primary School	11	0	7	0
Our Lady's and St Mochua's Primary School	1	2	1	2
St Josephs and St James Primary School	8	1	6	1
Seagoe Primary School	11	0	11	0
Gaelscoil Aodha Rua	2	0	2	0
Kilbroney Integrated Primary School	1	0	1	0
Portadown Integrated Primary School	16	2	16	1
Phoenix Integrated Primary School	5	0	5	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
2014/15 School Year (to 30/09/14)				
Our Lady of Lourdes Primary School	1	0	1	0
Holy Rosary Primary School	4	0	4	0
St Michael's Primary School	2	1	0	1
Holy Family Primary School	1	1	1	1
St John the Baptist Primary School	7	0	0	0
Scoil An Droichid	1	0	0	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
Forge Integrated Primary School	48	0	48	0
Cranmore Integrated Primary School	0	1	0	0
Strabane Controlled Primary School	11	6	7	3
Enniskillen Model Primary School	16	0	3	0
Drumrane Primary School	3	0	2	0
St Patrick's Primary School	7	0	7	0
St Mary's Primary School	0	2	0	1
Broadbridge Primary School	0	3	0	3
St Lawrence's Primary School	11	0	6	0
St Patrick's Primary School	0	1	0	1
St Columbkille's Primary School	11	3	11	3
St Patrick's Primary School	14	0	14	0
St Mary's Primary School	1	0	0	0
St Dympna's Primary School	2	0	2	0
Holy Family Primary School	3	3	2	2
Enniskillen Integrated Primary School	9	0	9	0
Omagh Integrated Primary School	22	8	22	8
Oakgrove Integrated Primary School	2	0	2	0
Garryduff Primary School	4	2	1	0
Creavery Primary School	1	2	0	2
Lislagan Primary School	0	0	0	0
Gracehill Primary School	3	6	2	3
Straidbilly Primary School	4	1	4	1
Carnaghts Primary School	1	0	0	0
Kilbride Primary School	1	0	1	0
Antrim Primary School	2	0	0	0
Moyle Primary School	1	7	1	0
Culcrow Primary School	1	1	0	1
Killowen Primary School	1	0	1	0
Magherafelt Controlled Primary School	4	0	1	0
Broughshane Primary School	12	0	12	0
Macosquin Primary School	2	0	0	0
Mossley Primary School	3	0	0	0
Carniny Primary School	2	0	0	0
Ashgrove Primary School	2	0	2	0
Knockloughrim Primary School	1	0	0	0
St Mary's Primary School	3	0	0	0
Mount St Michael's Primary School	2	0	2	0
Glenann Primary School	0	1	0	1
St Brigid's Primary School Tirkane	4	0	4	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
St John's Primary School	5	0	5	0
St Mary's Primary School	1	0	1	0
St Patrick's & St Joseph's Primary School	3	0	2	0
St Oliver Plunkett's Primary School	1	0	1	0
St Brigid's Primary School	2	0	1	0
St Columba's Primary School	11	1	9	1
St Nicholas' Primary School	1	0	0	0
St Colmcille's Primary School	36	4	23	4
St Brigid's Primary School	34	7	17	6
Gaelscoil an tSeanchaí	5	0	5	0
Millstrand Integrated Primary School	4	0	4	0
Spires Integrated Primary School	1	0	1	0
Tonagh Primary School	1	0	1	0
Ballyvester Primary School	0	1	0	1
Grange Park Primary School	1	0	1	0
Harmony Hill Primary School	5	18	5	15
Londonderry Primary School	3	0	0	0
Pond Park Primary School	3	0	3	0
Glasswater Primary School	3	0	2	0
St Patrick's Primary School	0	1	0	1
St Francis' Primary School	3	3	2	3
St Patrick's Primary School	1	0	1	0
St Mary's Primary School	2	2	0	0
St Macartan's Primary School	1	0	0	0
St Patrick's Primary School	0	0	0	0
St Colman's Primary School	0	0	0	0
St Comgall's Primary School	1	0	0	0
St Mary's Primary School	3	0	3	0
St Ita's Primary School	4	0	4	0
Our Lady and St Patrick Primary School	4	0	4	0
Kircubbin Integrated Primary School	14	7	14	6
All Childrens Integrated Primary School	0	8	0	6
Loughview Integrated Primary School	1	0	1	0
Millennium Integrated Primary School	26	0	26	0
Drumlins Integrated Primary School	2	0	2	0
Rowandale Integrated Primary School	1	0	1	0
Mullavilly Primary School	1	2	0	1
Armstrong Primary School	1	4	1	4
King's Park Primary School	10	0	0	0
Waringstown Primary School	0	0	0	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
Aughnacloy Primary School	4	3	2	3
Augher Central Primary School	3	0	3	0
Coagh Primary School	7	0	6	0
Dungannon Primary School	0	0	0	0
Fivemiletown Primary School	16	0	14	0
Brackenagh West Primary School	2	0	1	0
Bocombra Primary School	4	1	0	1
Markethill Primary School	2	0	1	0
Moyallon Primary School	0	0	0	0
Drumadonnell Primary School	2	0	1	0
St John's Eglish(1) Primary School	1	0	0	0
Clonalig Primary School	0	1	0	1
Dromintee Primary School	0	2	0	2
Christian Brothers' Primary School	20	0	20	0
St Oliver's Primary School (Carrickrovaddy)	1	0	1	0
St Patrick's Primary School	10	0	10	0
St Patrick's Primary School	4	0	3	0
St Teresa's Primary School	7	0	7	0
St Brigid's Primary School	5	0	5	0
St Brigid's (Drumilly) Primary School	0	0	0	0
St Mary's Primary School	7	0	7	0
St Peter's Primary School	6	0	0	0
Carrick Primary School	1	5	0	5
St Matthew's Primary School ,Magheramayo	5	0	5	0
St Patrick's Primary School	0	1	0	1
St Mary's Primary School	8	2	7	2
St Patrick's Primary School	6	4	6	4
Roan St Patrick's Primary School	7	0	7	0
St Patrick's Primary School	12	1	12	0
St Patrick's Primary School Loup	1	0	1	0
St Joseph's Primary School	8	0	7	0
St Mary's Primary School	8	0	6	0
St Patrick's Primary School	6	0	0	0
St Colman's Primary School and All Saints' Nursery Unit	2	0	1	0
St Patrick's Primary School	1	0	1	0
St Mary's Primary School , Aughnacloy	3	5	3	5
St Ronan's Primary School	1	0	0	0
St Patrick's Primary School Dungannon	16	0	15	0
St Colman's Primary School	10	0	7	0

School	Admissions requested	Enrolment requested	Admissions approved	Enrolment approved
St Peter's Primary School	1	0	0	0
St Patrick's Primary School	3	0	3	0
Our Lady's and St Mochua's Primary School	0	1	0	1
St Josephs and St James Primary School	4	0	4	0
Seagoe Primary School	8	0	8	0
Gaelscoil Aodha Rua	4	0	4	0
Gaelscoil Eoghain	7	0	7	0
Kilbroney Integrated Primary School	1	0	1	0
Portadown Integrated Primary School	15	6	14	6
Windmill Integrated Primary School	17	0	17	0

Post-Primary Schools

School	Admissions requested	Enrolment requested (Y8-12)	Admissions approved	Enrolment Approved (Y8-12)
2013/14 School Year				
Ashfield Girls' High School	1	0	1	0
De La Salle College	2	0	2	0
St Joseph's Boys' School	1	0	1	0
Erne Integrated College	1	0	0	0
Magherafelt High School	1	0	0	0
Dunclug College	1	1	0	0
St Colm's High School	6	0	4	0
St Paul's College	0	2	0	1
St Pius X College	15	0	2	0
St Patrick's Co-ed Comprehensive College	4	0	1	0
Ulidia Integrated College	0	2	0	1
Sperrin Integrated College	15	0	0	0
Carrickfergus Grammar School	0	1	0	0
Antrim Grammar School	1	0	1	0
St Louis Grammar School	1	0	1	0
Ballymena Academy	2	1	0	0
Dalriada School	0	1	0	0
Rainey Endowed School	18	0	0	0
Saintfield High School	1	0	0	0
St Columbanus' College	0	6	0	5
Shimna Integrated College	1	1	1	1
Down High School	6	0	0	0
Newtownhamilton High School	2	0	2	0
Markethill High School	6	0	0	0

School	Admissions requested	Enrolment requested (Y8-12)	Admissions approved	Enrolment Approved (Y8-12)
Fivemiletown College	7	0	1	0
St Paul's High School	10	0	0	0
St Patrick's High School	2	0	2	0
St Catherine's College	26	10	25	0
Holy Trinity College	9	0	2	0
St Patrick's College	1	0	0	0
Lurgan College	0	1	0	0
St Colman's College	1	0	1	0
St Joseph's Grammar School	0	1	0	1

School	Admissions requested	Enrolment requested (Y8-12)	Admissions approved	Enrolment Approved (Y8-12)
2014/15 School Year (to 30/09/14)				
Colaiste Feirste	9	0	9	0
Rathmore Grammar School	1	0	0	0
St Fanchea's College	13	0	1	0
St Cecilia's College	0	0	0	0
Portora Royal School	2	0	1	0
Magherafelt High School	5	0	0	0
St Colm's High School	3	0	0	0
St Paul's College	1	2	1	1
St Pius X College	10	1	0	0
ST Killian's College	2	0	1	0
Slemish College	1	1	0	0
Ulidia Integrated College	10	0	10	0
Sperrin Integrated College	15	0	15	0
Antrim Grammar School	1	0	0	0
St Louis Grammar School	1	0	0	0
Dalriada School	0	2	0	0
Rainey Endowed School	3	0	0	0
Belfast High School	1	0	0	0
St Mary's Grammar School	1	0	0	0
Saintfield High School	2	3	0	0
St Columbanus' College	1	1	1	1
Strangford Integrated College	15	0	15	0
Glenlola Collegiate	1	0	0	0
Markethill High School	11	0	0	0
St Paul's High School	4	0	0	0
St Catherine's College	8	2	5	0

School	Admissions requested	Enrolment requested (Y8-12)	Admissions approved	Enrolment Approved (Y8-12)
Lurgan College	0	1	0	0
Portadown College	0	1	0	1
Our Lady's Grammar School	2	0	0	0
St Joseph's Grammar School	1	0	0	0
Sacred Heart Grammar School	1	0	0	0

Notes: The figures for post-primary schools reflect temporary increases of numbers for children of compulsory school age (years 8 to 12) and exclude any increases of numbers for sixth form pupils.

Mr Storey asked the Minister of Education to detail the primary schools, broken down by sector, with surplus places in the Ballynahinch/Crossgar area.
(AQW 36332/11-15)

Mr O'Dowd: Based on the information produced as a result of the most recent census conducted in October 2013, the primary schools in the Ballynahinch/Crossgar area with surplus places are as listed below:

School Name	Management Type	Unfilled places
Ballynahinch Primary School	Controlled	219
Spa Primary School	Controlled	38
Academy Primary School	Controlled	23
Glasswater Primary School	Controlled	9
Christ the King Primary School	Maintained	96
St Caolan's Primary school	Maintained	20
St Patrick's Primary School B,nahinch	Maintained	123
St Mary's Primary School Saintfield	Maintained	22
Cedar Integrated Primary School	GMI	7

Mr Storey asked the Minister of Education to detail the total number of teachers employed, broken down by (a) sector; and (b) Education and Library Board, in each of the last ten years.
(AQW 36333/11-15)

Mr O'Dowd: The requested information is contained in the tables below.

	Headcount of teachers									
Board	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Belfast	4074	3954	3822	3817	3805	3691	3717	3689	3600	3601
Western	3795	3678	3595	3569	3541	3504	3483	3455	3327	3312
North Eastern	4566	4498	4443	4529	4535	4509	4498	4447	4350	4354
South Eastern	4223	4138	4052	3958	4001	3899	3942	3898	3753	3801
Southern	4510	4442	4465	4440	4481	4473	4498	4512	4406	4483
Total	21168	20710	20377	20313	20363	20076	20138	20001	19436	19551

Source: Teacher Payroll and Pensions Administration System

Management Type	Headcount of teachers									
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Controlled	9008	8764	8625	8528	8504	8260	8262	8222	8017	8060

Management Type	Headcount of teachers									
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Voluntary	3468	3391	3389	3399	3429	3447	3364	3311	3199	3183
Catholic Maintained	7375	7185	6977	6919	6906	6792	6915	6874	6658	6701
Other Maintained	183	194	195	201	212	214	222	224	234	249
Controlled Integrated	282	284	281	319	307	370	386	391	382	389
Grant Maintained Integrated	852	892	910	947	1005	993	989	979	946	969
Total	21168	20710	20377	20313	20363	20076	20138	20001	19436	19551

Source: Teacher Payroll and Pensions Administration System

Mr Storey asked the Minister of Education for his assessment of the number of children educated outside of a school environment.
(AQW 36334/11-15)

Mr O'Dowd: The best place for children and young people to be educated is in school. It is recognised, however, that for some young people a school placement cannot be sustained and education outside the school environment may be necessary to meet their educational and other needs.

This is known as 'Education Otherwise Than At School' (EOTAS) and legal responsibility for this rests with the Education and Library Board (ELB) in which the young person resides. EOTAS encompasses a broad range of ELB funded interventions, allowing for a flexible response based on the assessed needs of the individual young person. While normally delivered in a group setting within specialist centres, EOTAS can include ELB provided tuition services delivering one-to-one teaching, in a home or other setting.

Each year, my Department collects statistics on the number of pupils in EOTAS provision. Data is currently held to 2013. The figures, broken down by board area are in the table below:

Date	BELB	WELB	NEELB	SEELB	SELB	Total
October 2009	225	155	179	161	146	866
October 2010	236	129	190	128	143	826
October 2011	172	87	192	125	111	687
October 2012	141	103	159	65	116	584
October 2013	164	90	64	134	106	558

* Figures are collated for the first week of October each year and include pupils in any form of ELB delivered EOTAS provision. They do not include children receiving Elective Home Education (EHE).

Under existing legislation a parent may choose to educate his/her child at home (EHE). ELBs are aware of 258 children being home educated, however, this figure does not include those children who have never been registered at a school and who have never been brought to the Boards' attention by another agency or individual.

Mr Storey asked the Minister of Education whether his Department has issued guidance through a circular in relation to elective home education.
(AQW 36335/11-15)

Mr O'Dowd: My Department has not issued guidance through a circular in relation to Elective Home Education. However, the Education and Library Boards (the Boards) have recently each held a public consultation on their draft home education guidance/policy documents. The Boards are currently undertaking an analysis of the responses to the consultation exercise and a revised draft of each Board's document will be submitted to my Department in due course.

On 18 September, the Department published guidance (the Guidance) on Education Otherwise Than At School (EOTAS). The Guidance provides clarification on the legal basis for EOTAS provision, the process by which pupils must be referred for possible EOTAS placement and the ongoing role which schools are expected to provide for their registered pupils receiving EOTAS support.

However, I would note that the Guidance does not address home tuition services, which operate under fundamentally different referral and support processes, nor does it apply to elective home education, where a child's parents have chosen to withdraw the child from mainstream provision.

Mr Weir asked the Minister of Education to detail the number of pupils with a statement of special educational need, broken down by Education and Library Board, in each of the last five years.
(AQW 36347/11-15)

Mr O'Dowd: The information requested is detailed in the table overleaf. The information provided relates to the 2013/14 school census, the 2014/15 school census takes place on the 10th October this year, provisional figures will be available in December, finalised figures in February.

Pupils with a statement of special educational needs by Education and Library Board, 2009/10 – 2013/14

	Belfast	Western	North Eastern	South Eastern	Southern	Total
2009/10	2309	2144	2577	3210	3334	13574
2010/11	2479	2217	2634	3260	3308	13898
2011/12	2584	2261	2667	3254	3324	14090
2012/13	2739	2358	2840	3215	3402	14554
2013/14	2901	2545	2925	3400	3478	15249

Source: NI school census

Notes:

1. Figures include funded children in voluntary and private preschools, nursery schools, primary (including nursery, reception and year 1-7 classes), post primary and special schools.
2. Board refers to the board in which the school is situated, rather than where the pupil resides
3. Figures include pupils at stage 5 on the Special Educational Needs Code of Practice.

Mr Weir asked the Minister of Education to detail the number of pupils currently enrolled in each Education and Library Board.
(AQW 36348/11-15)

Mr O'Dowd: The information requested is detailed in the table overleaf. The information provided relates to the 2013/14 school census, the 2014/15 school census takes place on the 10th October this year, provisional figures will be available in December, finalised figures in February.

Total enrolments in schools in Northern Ireland, 2013/14

Belfast	Western	North Eastern	South Eastern	Southern	Total
58,354	57,874	74,460	65,381	78,496	334,565

Source: NI school census

Notes:

4. Figures include funded children in voluntary and private preschools, nursery schools, primary (including nursery, reception and year 1-7 classes), post primary and special schools.

Mr Weir asked the Minister of Education to detail the number of statements of special educational need issued to pupils in the South Eastern Education and Library Board, in each of the last ten years.
(AQW 36349/11-15)

Mr O'Dowd: The South Eastern Education and Library Board has advised that the number of statements of special educational need issued to pupils in the South Eastern Education and Library Board, in each of the last ten academic years, is as follows:

2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
419	465	395	384	469	425	424	331	499	487

Mr Weir asked the Minister of Education to outline any changes in the process of issuing a statement of special educational need to children in each of the last three years; and what impact the changes have on the time it takes to issue a statement.
(AQW 36350/11-15)

Mr O'Dowd: There have been no changes in the statutory process of issuing a statement of special educational needs to children in the last three years.

Mr Gardiner asked the Minister of Education whether his Department has a mission statement for non-grammar post-primary schools.
(AQW 36356/11-15)

Mr O'Dowd: My vision for all schools is outlined in my school improvement policy ,Every School a Good School (ESaGS), which sets out the overarching approach to raising standards and tackling underachievement. It focuses on promoting the factors that local and international evidence tell us are at the core of a good school, and that is child centred provision, high quality teaching and learning, effective leadership and a school which is connected to parents and its local community. ESaGS also outlines how schools themselves are best placed to identify and implement actions that will ensure our children and young people receive the high quality education they deserve

In keeping with this each school will have its own mission statement. In my experience this statement often reflects the key characteristics which are outlined in Every School a Good School.

The Member will want to be aware that all post primary schools are secondary schools; a grammar school is so defined due to its historical ability to charge fees or through Departmental designation, and a non grammar school is a secondary school that is not a grammar school. Grammar status has nothing to do with a schools admission criteria.

My vision is the same for all secondary schools, irrespective of its classification as a grammar school, or not

Mr Gardiner asked the Minister of Education how he plans to recoup all the money he has spent on the Education and Skills Authority.
(AQW 36358/11-15)

Mr O'Dowd: The completion of the Education Bill, for which I am seeking accelerated passage, will ensure that a significant part of the money spent on ESA will support the delivery of the Education Authority and allow it to move forward more rapidly once established.

Mr Gardiner asked the Minister of Education how many schools provide their pupils with educational support materials online.
(AQW 36359/11-15)

Mr O'Dowd: The Department of Education does not collate information about the resources used to deliver the curriculum.

A range of online resources for teaching and learning are available to all schools via the C2k managed ICT service which is free to all grant-aided schools. The decision of the resources that are used is a matter for each teacher/school to determine, as is the decision on whether or not such resources are provided in hard copy or online to pupils.

Mr Gardiner asked the Minister of Education whether he has any plans for recognised good schools to adopt struggling, inner city and deprived schools to help improve educational performance.
(AQW 36360/11-15)

Mr O'Dowd: One of the key principles underpinning Every School a Good School, the school improvement policy, is the recognition that the improvement process is a collaborative one, requiring communication and cooperation within the school and between schools.

While I have no plans for recognised good schools to adopt struggling, inner-city or schools in areas of disadvantage, there are many examples of effective cooperation between schools.

Area Learning Communities (ALCs) provide a vehicle for collaborative working amongst schools on an area basis. The Department is currently working with ALCs to explore how this successful model can be used to develop closer working arrangements between primary schools and post-primaries on an area basis.

Work is also being taken forward separately through the Achieving Belfast and Achieving Derry-Bright Futures programmes to develop area learning clusters in the Belfast Board area and a Nursery and Primary Schools Learning Community in the Derry City Council area.

Schools are supported in sharing good practice by their managing authorities and by the Education and Training Inspectorate (ETI). The managing authorities will work with schools that are meeting challenges effectively to identify those activities that are resulting in marked improvements and will disseminate this to schools that are doing less well. Good practice will also be identified and disseminated through school inspection and through guidance provided by the ETI an example of which is the ETI 'Survey of Best Practice in English and Mathematics in Post-Primary Schools'. Examples of best practice are also available to schools and teachers on the ESAGS.tv website.

There may be occasions when more formal arrangements of support between schools are considered appropriate. For instance, where the ETI find the quality of education to be less than satisfactory the school is placed in formal intervention and receives targeted support provided by their local Education and Library Board (ELB). In some cases support has been provided through the secondment of a principal with the skills and experience necessary to drive forward the improvement.

In other cases, staff from the school in formal intervention have visited local schools to experience and learn from identified good practice.

Mr Weir asked the Minister of Education to detail the average time taken to issue a statement of special educational needs to a pupil, in each of the last five years.
(AQW 36363/11-15)

Mr O'Dowd: I refer the Member to my answer to AQW 35239/11-15 tabled by Danny Kinahan and published in the Official Report on 12 September 2014.

Ms Sugden asked the Minister of Education what proportion of departmental funding has been allocated to independent counselling services for post-primary school pupils, in each of the last three years.
(AQW 36442/11-15)

Mr O'Dowd: The Independent Counselling Service for Schools (ICSS) is funded by the Department of Education and is available to all post primary schools and special schools with post primary age pupils. ICSS spend over the last three years is detailed below:

	Total DE budget			ICSS spend			
Year	Resource £000	Capital £000	Total Budget £000	ICSS Post Primary	ICSS Special Schools	Total ICSS	% of resource budget
2011-12	1,920,481	114,752	2,035,233	£1,893,873	£386,504	£2,280,377	0.12%
2012-13	1,900,503	108,221	2,008,724	£1,935,022	£359,688	£2,294,710	0.12%
2013-14	1,917,844	109,435	2,027,279	£2,041,028	£402,556	£2,443,584	0.13%

Mr Dunne asked the Minister of Education why funding is not provided for school crossing patrols at post-primary schools.
(AQW 36457/11-15)

Mr O'Dowd: Funding is provided within the Department of Education overall Block Grant to the Education and Library Boards and is used for the purposes of determining the need for, and, if required, the deployment of school crossing patrols. The ELBs have advised me that 33 post-primary schools currently have school crossing patrols.

All requests for the provision of a school crossing patrol are based on identified need regardless of whether the school is primary or post-primary. Criteria relating to traffic and pedestrian volumes are measured in conjunction with consultation with other agencies (e.g. Roads Service, PSNI etc) and a decision is made on the basis of all of the information gathered.

Lord Morrow asked the Minister of Education whether all teachers are provided with an up-to-date laptop for class work preparation.
(AQW 36478/11-15)

Mr O'Dowd: Under the previous C2k contract all teachers were provided with laptops to facilitate delivery of the curriculum, completing administrative tasks and uploading data to the School Information Management System. I am aware that those laptops are now six to seven years old and due to their age there is an issue with their performance.

I can assure you that the Department of Education is taking this matter seriously and is continuing to work towards a suitable solution within an extremely constrained and uncertain financial environment.

Mr Weir asked the Minister of Education to detail the estimated timescale for the establishment of the proposed single education board.
(AQW 36482/11-15)

Mr O'Dowd: The timescale for the establishment of the proposed Education Authority will depend upon the Assembly's consideration of the Education Bill. I am seeking agreement to the use of the accelerated passage procedure so that the Bill may complete its passage in time to allow for the establishment of the Authority by 1 April, 2015, or as soon as possible thereafter.

Mr Weir asked the Minister of Education whether the joint health and education project, part-funded by Atlantic Philanthropies targeting early intervention, intends to distribute expenditure through his Department and its arm's-length bodies, or through community based applications.
(AQW 36483/11-15)

Mr O'Dowd: The Department of Health, Social Services and Public Safety (DHSSPS) lead on the Early Intervention Transformation Programme (EITP).

The 'Getting Ready to Learn' element of Work Stream 1 of the EITP, which DE leads on, provides an important opportunity to enhance how early years practice engages with parents to help them develop and maintain a positive home learning environment. Detailed proposals will be developed in the next few months in collaboration with key stakeholders across health and early years education. At this point, no decisions have been made on how the 'Getting Ready to Learn' expenditure will be distributed.

Mr Kinahan asked the Minister of Education for his assessment of the effect class size has on children attending primary schools in areas identified as suffering from social deprivation and educational underachievement.
(AQW 36560/11-15)

Mr O'Dowd: My Department has carefully considered local data and international research on the issue of class sizes.

As regards local data we looked at the relationship between pupil-teacher ratios and assessment results at the end of key stages 2 and 3 and at GCSE. Our analysis showed there is no evidence of a correlation between class size and pupil outcomes. International research evidence also suggests that, except during the very early years, there is little correlation between class size and pupil outcomes.

While evidence suggests that smaller class sizes in early years can have a positive impact on outcomes, it has also consistently highlighted that the quality of teaching and allowing teachers the flexibility to adapt their teaching in different situations, are the most important factors in determining educational outcomes. These key factors are reflected in core Departmental policies, namely DE's literacy and numeracy strategy and the revised curriculum. In view of the evidence surrounding the early years, it is DE's policy to keep classes for our youngest pupils, (Years 1-4), to a maximum of 30 pupils.

I recognise that pupils from disadvantaged backgrounds have greater obstacles to overcome and their schools need additional resources to help them do this. In response to this I made changes to the way schools are funded in order to target additional resources at schools serving high proportions of disadvantaged pupils.

Mr Kinahan asked the Minister of Education whether a development proposal is planned on the future of Malvern Primary School in West Belfast; and if so, to detail (i) when; and (ii) how the views of the parents and the local community will be ascertained.
(AQW 36561/11-15)

Mr O'Dowd: The responsibility for planning the controlled schools' estate in Belfast lies, in the first instance, with the Belfast Education and Library Board (BELB).

BELB's primary area plan states its intention to close Malvern Primary School (PS), but it has not yet published a statutory Development Proposal (DP) to support that intent. I understand that the Board will shortly commence work on a DP: but until it does, neither I nor my Department has any role.

The statutory DP process facilitates extensive consultation and has two distinct stages. Prior to publication, the onus is on the proposer (in the case of Malvern PS, this is BELB) to consult with the Board of Governors, teachers and parents of the affected school. The Board also has a duty to consult with all other schools likely to be affected.

Once a DP is published, a two-month objection and comment period begins, during which anyone can make their views known directly to my Department. During this stage I endeavour to engage with concerned or interested parties to listen to their views on a proposal, before I decide whether to approve it.

Mr Kinahan asked the Minister of Education whether there has been an official recognition that Malvern Primary School is no longer in intervention and is now classified as 'good'.
(AQW 36562/11-15)

Mr O'Dowd: In line with the Department's procedures separate letters issued to the Chief Executive of the Belfast Education and Library Board, the chairperson of the Board of Governors of Malvern Primary School and the Principal of Malvern Primary School to officially advise that the school had exited the formal intervention process. These letters were dated 12 February 2014 which is the date the school exited formal intervention.

The letters acknowledged the support provided to the school by the BELB and commended the hard work and commitment shown by the Board of Governors, the Principal and the whole school staff to effect the improvement.

Mr Kinahan asked the Minister of Education how his Department recognises the improvements made in the 'value added' to pupils' education in Malvern Primary School by the teachers, with reference to levels of progression and the school's own statistical analysis.
(AQW 36563/11-15)

Mr O'Dowd: The progress that our pupils make academically and qualifications that they achieve are important benchmarks for our education system. However, it is also important to recognise that a school's contribution to young people is about more than the achievement of levels or qualifications. The Department recognises the quality of provision in any school, including the contribution of teachers to the progress made by pupils, through the evaluation made by the Inspectorate.

On inspection, the ETI takes the context of the school into account, including: the free school meals percentage; the numbers of pupils on the special educational needs register, pupil enrolment trends; school type; staffing; the attendance, behaviour, motivation and work ethic of the pupils; the parental and community support, intake and gender. The ETI also collects evidence relating to the achievements of children from a variety of sources including lesson observations and assessment outcomes.

The Follow-up inspection of Malvern Primary School in December 2013 acknowledged the good quality of the pastoral care which focuses on supporting and developing the social and emotional wellbeing of the children and highlighted the good standards achieved by the children in information and communication technology.

The Follow-up inspection also recognised that the school's internal performance data shows that almost all of the children, including those who require additional support with aspects of their learning, make good progress in English and Mathematics and achieve in line with their ability, or above expectation.

Mr McElduff asked the Minister of Education, given the increase in school age children who are diagnosed with Autism spectrum disorder, to detail the key elements of his Department's Autism strategy, particularly, how his Department is addressing equalities in service provision in the Western Education and Library Board area.
(AQW 36570/11-15)

Mr O'Dowd: The Executive's Autism Strategy (2013-2020) and Action Plan (2013-2016) sets out its commitment to improving services and support for people with autism, their families and carers, throughout their lives. The Strategy and Action Plan have been prepared as a result of the Autism Act 2011 which required the DHSSPS to lead on the development and implementation of a cross-Departmental Autism Strategy.

Both the Strategy and Action Plan have been developed through a process of collaborative and consultative working between people with autism, their families and carers, representatives from all government departments in the north, including the Department of Education (DE), and some key community and voluntary sector organisations.

A number of actions focus on education, which outline the specific input required from DE, the Education and Library Boards (ELBs) and Middletown Centre for Autism (MCA):

- Provide joined-up timely support services to meet the needs of children and young people with autism;
- Continue to build the capacity of schools and youth service to meet effectively the needs of children and young people with autism;
- Provide parents/carers of children and young people with autism with effective support and advice which will ensure that they are informed, involved and supported effectively by the school, the ELB and other agencies;
- Implement a common model of professional support and provision for children and young people with autism to meet their needs;
- Formalise protocols for collaboration between education and health autism services;
- Expand educational-led trans-disciplinary assessments, support and intervention mainly for children and young people with autism presenting with more complex needs;
- Provide life skills training for young people with autism whilst in post-primary education to help prepare for their transition to adulthood.

DE will work closely with the ELBs and MCA, as appropriate, to monitor progress on the implementation of each action.

DE and ELB Service Provision

Following publication of the 'Report of the Task Group on Autism' (2002), DE funded the ELBs to establish an inter-board Autistic Spectrum Disorder (ASD) Group to provide support to children on the autistic spectrum within each ELB. To ensure consistency across all ELB's an ASD advisory team was established in each ELB to enhance existing ASD services.

The ASD advisory service continues to provide valued and worthwhile practical support to schools and is a resource of knowledge and skill, with the capacity to raise the standards of education and the social inclusion for children on the autistic spectrum and can provide tailored support to match a child's individual needs to ensure that they reach their full potential. ELBs also provide autism-specific training in schools and all ELBs deliver a range of autism-specific training for school staff.

In addition MCA provides a range of support and intervention to professionals, parents and children with autism. Parents can avail of a range of training courses provided free of charge by the Centre and can access a broad range of online learning resources, including training video materials.

The Centre is currently expanding its programme of direct support and intervention to children with complex autism who are referred to it by the ELBs.

Mr Kinahan asked the Minister of Education to detail the (a) design; (b) print; (c) distribution; and (d) translation into Irish costs of the leaflet "School Attendance Matters, A Parent's Guide",
(AQW 36601/11-15)

Mr O'Dowd: "School Attendance Matters: A Parent's Guide" was issued to the parents/carers of all Year 1 and Year 8 pupils in September 2013. This year, it was distributed to the parents/carers of all pupils, following a recommendation by the NI Audit Office in its "Improving Pupil Attendance: A Follow-up Report".

Officials, in partnership with staff from the Education Welfare Service (EWS), designed the leaflet. The estimated staff costs for this are £3,612.

The total cost of printing and distributing the leaflet in 2013 and 2014 was £27,146.

The leaflet was translated into Irish by a Departmental official in the normal course of their duties.

Mr Campbell asked the Minister of Education how many pupils have commenced primary school education in the (a) Maintained; and (b) Irish-medium sectors in the Dungiven area, in each of the last three years.
(AQW 36628/11-15)

Mr O'Dowd: The information requested is detailed in the table below. The information provided relates to the 2013/14 school census, the 2014/15 school census takes place on the 10th October this year, provisional figures will be available in December, finalised figures in February.

Number of year 1 pupils that reside in Dungiven SOA and attend Catholic Maintained and Irish Medium schools, 2011/12 – 2013/14

	2011/12	2012/13	2013/14
P1 pupils attending Catholic Maintained schools	20	25	19
P1 pupils in Irish medium education	*	*	8

Source: NI school census

The pupils in the table above represent all P1 pupils in the Dungiven SOA for each year.

Notes:

1. Figures refer to year 1 pupils resident in the Dungiven SOA.
2. Pupils with unknown or invalid postcodes (totalling to less than 0.1% of the overall primary school pupil population) have been excluded from the analysis.
3. Irish medium education refers to pupils in Irish medium schools or units.
4. denotes fewer than 5 pupils suppressed due to potential identification of individual pupils. *
5. Irish medium education is not considered to be a separate management type, so the figures in the table above do not necessarily add up to the total number of pupils.

Department for Employment and Learning

Mrs Dobson asked the Minister for Employment and Learning for his assessment of employers attitudes to employing people over 50; and what steps he is taking to improve employment prospects for older people.
(AQW 35892/11-15)

Dr Farry (The Minister for Employment and Learning): Since its introduction in September 2008 Steps to Work (StW) has been my Departments main adult return to work programme. StW aims to assist unemployed and economically inactive adults, including those aged over 50, to find and sustain employment.

With support from the Northern Ireland Executive's Economy & Jobs Initiative the programme was flexed to include a strand, Step Ahead 50+, to help address the particular challenges faced by the long term unemployed aged over 50 and to help them compete more effectively for jobs.

The Department's new employment programme, Steps 2 Success (S2S), has been designed to improve the performance of the Department's employment programmes. Its primary purpose is the delivery of a flexible personalised service tailored for all ages to meet individual need which will help people move into and remain in employment. S2S is for all eligible jobseekers irrespective of their employability need or age.

S2S is an employment programme with a funding model based on payments by results thus ensuring that the main focus is on employment outcomes.

The Work and Families Bill presently at Committee Stage in the Assembly includes provision which, once enacted, will extend the right to request flexible working to all employees with 26 weeks' continuous service. There may be particular benefits for older people, who may wish to remain in work but require greater flexibility. Successful requests will enable employers to retain the skills and expertise of older people who may otherwise think of leaving work or moving to an alternative job.

Working in conjunction with other Departments, OFMDFM developed and consulted on a new draft Active Ageing Strategy which aims to improve attitudes to and services for older people. Responses are currently being analysed in detail by OFMDFM.

My Department has a key role under the Strategy's Self Fulfilment theme which states:

> *"We will support older people to develop to the fullest of their potential through promoting education, training, leisure and arts opportunities which will support the development of life skills, positive mental, emotional and physical health and well-being".*

There are two DEL-specific proposals for actions under the "Self-fulfilment" Strategic Aim. They are:

- Ministers wish to develop a programme whose target audience would be the hard to reach, long term unemployed, specifically targeting economically inactive 50+ year olds.
- DEL will consider the development of a signature programme to target economically inactive older workers in the context of the Strategic Framework to address Economic Inactivity in Northern Ireland; and
- DEL, in conjunction with OFMDFM, will explore how we may better promote the benefits of further education opportunities amongst older workers.

On 26 March this year I attended and spoke at a breakfast briefing, hosted by the Commissioner for Older People for Northern Ireland, Claire Keatinge, during which the Commissioner launched the findings of a report entitled – 'Valuing an Ageing Workforce'. I have shared the report across all key policy areas of my Department to help raise the more general concepts which it promotes. I met again with the Commissioner on 22 September when we discussed economic inactivity, apprenticeships, and a Business Champion for older people.

Mr Campbell asked the Minister for Employment and Learning how many people during 2014 enrolled with the ApprenticeshipsNI programme under the auspices of the Northern Regional College.
(AQW 36050/11-15)

Dr Farry: In the academic year to 30 April 2014, 192 people enrolled with the ApprenticeshipsNI programme at Northern Regional College.

Mr B McCrea asked the Minister for Employment and Learning how many people graduated with a degree in performing arts from (i) Queen's University; and (ii) The University of Ulster in each of the last three years; and how many of these graduates are now employed in the Arts Sector.
(AQW 36176/11-15)

Dr Farry: Information on the number of people who graduated with a degree in performing arts is difficult to provide, as the coding system used by the Higher Education Statistics Authority (HESA) to classify degree subjects does not have a specific subject grouping for Performing Arts.

A general subject category "Creative Arts & Design" can be identified in the HESA coding system, which can be broken down into a number of more specific subject areas, some of which may relate to the performing arts.

Table 1 provides details of the number of students graduating in subject areas related to "Creative Arts & Design" from Queen's University, Belfast (QUB) and the University of Ulster (UU), from 2010/11 to 2012/13.

Table 1: Number of students graduating in subject areas related to "Creative Arts & Design"

	2010/11			2011/12			2012/13		
Subject Area	**QUB**	**UU**	**Total**	**QUB**	**UU**	**Total**	**QUB**	**UU**	**Total**
Fine art	0	135	135	0	135	135	0	90	90
Design studies	0	45	45	0	45	45	0	45	45
Visual communication	0	55	55	0	80	80	0	45	45
Clothing/fashion design	0	25	25	0	25	25	0	55	55
Industrial/product design	0	0	0	0	0	0	0	10	10
Interior design	0	10	10	0	5	5	0	20	20
Furniture design	0	0	0	0	0	0	0	10	10
Design studies not elsewhere classified	0	5	5	0	10	10	0	10	10
Music	65	45	110	70	50	120	50	50	100
Sonic arts	0	0	0	0	0	0	60	0	60
Drama	45	10	55	45	35	85	50	25	75

Subject Area	2010/11			2011/12			2012/13		
	QUB	UU	Total	QUB	UU	Total	QUB	UU	Total
Drama not elsewhere classified	0	0	0	5	0	5	5	0	5
Dance	0	5	5	0	5	5	0	5	5
Cinematics & photography	0	10	10	0	15	15	0	10	10
Photography	0	35	35	0	40	40	0	35	35
Imaginative writing	15	0	15	15	0	15	35	0	35
Others in creative arts & design	0	45	45	0	70	70	0	85	85
Total	**125**	**435**	**560**	**135**	**515**	**655**	**195**	**490**	**685**

Source: Higher Education Statistical Authority (HESA)

Notes:

The latest available data are for the 2012/13 academic year.

Figures have been rounded to the nearest 5 in line with HESA Policy.

Information on the number of graduates employed in the "Arts sector" is also difficult to provide, as the Standard Occupational Classifications (SOC) used by HESA in their Destination of Leavers Survey do not have a clear category for those in employment in the 'Arts Sector'. In addition, many of the SOC codes reference general job types such as management, teaching professionals and administrative jobs, but do not specify the sector these jobs are associated with, which could well relate to the "Arts sector".

We can provide information on the number of graduates in some sort of employment, six months after graduation, who responded to the Destination of Leavers Survey. Table 2 provides details the number of graduates from subjects in "Creative Arts & Design" at Queen's University, Belfast (QUB) and the University of Ulster (UU), who indicated they were in some sort of employment, six months after graduation.

Table 2: Number of graduates in subject areas related to "Creative Arts & Design" who were in some sort of employment, six months after graduation.

Subject Area	2010/11			2011/12			2012/13		
	QUB	UU	Total	QUB	UU	Total	QUB	UU	Total
Fine art	0	55	55	0	70	70	0	50	50
Design studies	0	25	25	0	25	25	0	20	20
Visual communication	0	25	25	0	50	50	0	25	25
Clothing/fashion design	0	15	15	0	15	15	0	35	35
Industrial/product design	0	0	0	0	0	0	0	5	5
Interior design	0	5	5	0	0	0	0	15	15
Furniture design	0	0	0	0	0	0	0	5	5
Design studies not elsewhere classified	0	0	0	0	10	10	0	5	5
Music	20	25	45	30	35	65	20	20	45
Sonic arts	0	0	0	0	0	0	25	0	25
Drama	20	5	25	25	25	50	30	15	45
Drama not elsewhere classified	0	0	0	0	0	0	0	0	0
Dance	0	5	5	0	5	5	0	5	5
Cinematics & photography	0	5	5	0	10	10	0	5	5
Photography	0	15	15	0	25	25	0	20	20
Imaginative writing	5	0	5	10	0	10	10	0	10

Subject Area	2010/11			2011/12			2012/13		
	QUB	UU	Total	QUB	UU	Total	QUB	UU	Total
Others in creative arts & design	0	15	15	0	20	20	0	50	50
Total	**40**	**195**	**235**	**65**	**280**	**340**	**90**	**275**	**365**

Source: Higher Education Statistical Authority (HESA)

Notes:

Graduates in some sort of employment, includes those in Full-time work, Part-time work, Primarily in work but also studying and Primarily in study and also in work.

The latest available data are for the 2012/13 academic year.

Figures have been rounded to the nearest 5 in line with HESA Policy.

Lord Morrow asked the Minister for Employment and Learning, in light of the continual refusal of St. Mary's University College to integrate and in the interests of equality, parity of esteem and the promotion of inter-educational training as opposed to sectored, separated status, whether he will move to restrict, reduce or remove departmental funding for an establishment which will not embrace inclusion.
(AQW 36195/11-15)

Dr Farry: Following the publication of the International Review Panel's report - Aspiring to Excellence, and as detailed in my statement of 1st July, I have commenced engagement with the four Initial Teacher Training providers to seek a way forward.

It would not be appropriate for me to comment on this issue while these discussions continue.

Mr Swann asked the Minister for Employment and Learning to detail the salary increases that have been paid to lecturers in each (i) Higher Education College; and (ii) Further Education Institute, in each of the last three years.
(AQW 36202/11-15)

Dr Farry:

(i) Higher Education Colleges (St Mary's and Stranmillis)

The most recent salary increase for higher education college lecturers was awarded for the academic year 2014/15. The percentage salary increase for the most recent three academic years is as follows:

- 2012/13 1.0%
- 2013/14 1.0%
- 2014/15 2.0%

The pay increases represent the uplift agreed at national level and have been awarded at both colleges. They do not take account of increases due to progression up the pay scale and so increases given to individual lecturers may vary from these headline figures.

(ii) Further Education Colleges

The most recent salary increase for further education college lecturers was awarded for the academic year 2012/13. Subsequent years are still the subject of negotiation at the lecturers' negotiating committee. The percentage salary increase for the most recent three academic years for which figures are available is as follows:

- 2010/11 1.78%
- 2011/12 0%
- 2012/13 0%

The pay increases were awarded across all six institutions of further education. They do not take account of increases due to progression up the pay scale and so increases given to individual lecturers may vary from these headline figures. Further education lecturers, in common with all public sector staff, were subject to a two-year pay freeze for 2011/12 and 2012/13.

Ms Maeve McLaughlin asked the Minister for Employment and Learning to outline the next steps on the proposed Teaching Block at University of Ulster Magee campus.
(AQW 36217/11-15)

Dr Farry: Officials from the University of Ulster and from my department are engaged in the normal iterative process of preparing and reviewing the business case for this capital development. Once the business case has been approved it will be submitted to DFP for its review and approval. Following DFP approval, a bid for funding will be submitted. As I have stated previously, the first opportunity to do this will be in the bidding process for the 2015-16 financial year.

Mr B McCrea asked the Minister for Employment and Learning what steps his Department is taking to help Queen's University Belfast close the gap to Trinity College Dublin in the World University Rankings.
(AQW 36233/11-15)

Dr Farry: It is pleasing to note that Queen's has risen in the rankings from 172nd place in 2013 to 170th in 2014. My Department is continuing to take steps to develop the higher education sector in Northern Ireland though the implementation of Graduating to Success, Northern Ireland's higher education strategy. The strategy recognises the critical importance of our universities in terms of economic and social development and sets out my aspirations for the sector to 2020. Implementation of the strategy, driven by the four guiding principles of responsiveness, quality, accessibility and flexibility is currently underway.

A key aspect of this work is my Department's support for the Higher Education Academy (HEA) to engage with our higher education institutions and support them to improve the quality of teaching and learning.

It is important to acknowledge that different ranking systems are based on measurement of a range of different factors. The exact methodology used to determine the importance of each factor is not always clear. League tables can provide a useful guide, however they are just one of a number of tools used to measure the performance of our universities. That said it is clearly important for all our HEIs to strive to continuously improve across the board.

There are a number of indicators which demonstrate that the QUB is performing well in arrange of important areas. For example one of the most important measures in terms of quality is the Institutional Audit process carried out by the Quality Assurance Agency (QAA).

The results of the most recent Institutional Audit, published in March 2009, stated that the QAA had confidence in both the academic standards of the QUB awards and the quality of the learning opportunities available to students. This is the highest rating that can be achieved. As well as this the QAA carried out a mid-cycle review of the University in 2011-12 which resulted in a positive outcome. The University will undergo the QAA's new Higher Education Review in 2015-16.

Another measure of an institution's performance is its impact on the economy and the main UK indicator is the "Higher Education – Business & Community Interaction Survey" (HEBCIS) published annually by HESA.

HEBCIS reports on a range of activities including the commercialisation of new knowledge through collaborative research, the delivery of professional training, consultancy and services by universities to businesses and community groups culminating in activities intended to have direct social benefits to the community in Northern Ireland.

The latest HEBCIS for Academic Year 2012/13 shows that both main NI universities are continuing to out-perform their UK counterparts. They secured income from business and community interaction in 2012/13 of some £92 million, representing 2.6% of the UK total. This is an impressive performance in a context where Northern Ireland accounts for only 2.1% of UK GVA (Gross Value Added) and for 2.0% of the UK's FTE (Full Time Equivalent) academics.

Of the £92 million earned by the Northern Ireland universities, the majority (£55.7 million / around 60%) is directly attributable to Queen's University Belfast, underlining its importance to stimulating innovation within the Northern Ireland economy.

Queen's University also continues to score highly in the National Student Survey (NSS) which asks students to provide feedback on their courses. The NSS results for 2014 indicate that student satisfaction at the QUB is 86% which meets the UK benchmark for similar HE Institutions.

Taking all of this into account, I have confidence that Queen's is meeting the high standards expected of a world -class university and that it is engaged in a process of continuous improvement which supports the aspirations for the sector, articulated in Graduating to Success.

Mr Swann asked the Minister for Employment and Learning to detail any changes made to the Board of Governors of Stranmillis College over the last three years.
(AQW 36376/11-15)

Dr Farry: Changes to the membership of the Governing Body of Stranmillis University College over the last three years are detailed below:

Date	New Member(s)	Replaced	Position Held
01/02/2012	Mr A Ramage	Mr H Storey	Support Staff Representative
01/06/2012	Mr G Turnbull	Mr J Harper	Student Representative
29/03/2013	Ms S Madden	3 Vacancies	Members appointed by the Minister for Employment and Learning
	Mr K Nelson		
	Mr R Thompson		
13/05/2013	Prof Sir D Rea	Mr S Costello	Chair
01/06/2013	Mr J Catterson	Mr G Turnbull	Student Representative
01/06/2014	Mr M Pollock	Mr J Catterson	Student Representative

01/08/2014	Dr E Birnie	Mrs D Bell	Members appointed by the Minister for Employment and Learning
Mr R Hanna	Mr N Bodger		
Mrs E Huddleston	Mr D Capper		
Mr E Jardine	Rev M Hagan		
Mrs C Moore	Mrs J Harper		
Mr W Patterson	Mr T McGonigal		

Appointments made by me, including that of the Chair, follow public competitions run in accordance with the Code of Practice issued by the Commissioner for Public Appointments Northern Ireland (CPANI).

Mr McKay asked the Minister for Employment and Learning for an update on his recent meeting with the National Union of Students and Union of Students in Ireland.
(AQO 6695/11-15)

Dr Farry: At their request, I met with NUS-USI on the 17th September to discuss a wide range of issues.

I was able to provide an update on the Review of Higher Education Funding and discuss student representation on further education college governing bodies.

It will come as no surprise to Members that a large part of our meeting concerned further education student support, including the Hardship Funds and Further Education Awards.

During the meeting I reiterated the fact that the level of expenditure against these Funds is demand-led and emphasised that support is available from one or both funds and that they are interchangeable.

I need to be very clear about what I mean by demand. Applicants to the Hardship Funds are assessed under set eligibility criteria, which have not been changed. If deemed eligible under these criteria, they will be paid.

Demand therefore equates to the number of eligible applicants to the Funds. No student who meets the eligibility criteria has been turned away, and so demand has been met.

Demand, in these terms, has decreased in recent years. In part, I believe this is to do with an increase in applications for Further Education Awards, which are distributed at the start of each term and are designed to prevent the need for students to apply to the Hardship Funds. However, if necessary, students can avail of both Funds.

Despite what has been reported in the media in recent weeks, there has been no cut in funding across the support that the Department provides for further education students. In fact, expenditure has grown.

As highlighted within the 'Pound in Your Pocket' report, student hardship remains an issue. With this in mind, I have asked the Union to work with the colleges to identify ways to improve awareness of the Funds.

Mr Dickson asked the Minister for Employment and Learning for his assessment of the competitive position of Northern Ireland's universities.
(AQO 6702/11-15)

Dr Farry: My central objective is to ensure that Northern Ireland continues to have a world-class and internationally recognised higher education sector. Our universities are key partners in the economic transformation of Northern Ireland and are central to our inward investment narrative and efforts to create more jobs and business start-ups. They are key providers of higher level skills and research.

I have been pleased to be able to provide additional undergraduate places, all in STEM subjects, to set in train the doubling of the number of publically-funded PhDs over this decade, to facilitate additional Masters courses, and to make new investments in research activities.

Nevertheless, in light of the underlying squeeze on public sector funding over the course of the 2011-15 Budget period, there is an ongoing challenge to maintain the competitive position of our universities.

The universities in Northern Ireland receive grant from my Department for funded undergraduate and post-graduate places and tuition fees from the students.

Taking these together, the universities receive between £1,000 and £2,500 less per student than their counterparts in England and Scotland.

In total terms, for the number of students being funded in the current year, our universities receive up to £39m less than they would in England or £22m less than they would in Scotland. This funding gap is growing and it directly impacts on the competitive position of our universities.

In terms of research funding, our universities are also funded at a lower per capita rate than those in England or Scotland. Not only is their competitiveness compromised but also that of Northern Ireland, as research and innovation are key catalysts for economic growth and prosperity.

Mr Storey asked the Minister for Employment and Learning for an update on the business case for the Northern Regional College Ballymoney Campus.
(AQO 6703/11-15)

Dr Farry: The College is currently liaising with my Department in the preparation of an Outline Business Case to explore options for the provision of further education throughout the College region, including the Ballymoney area.

This business case will identify the value for money option, funding requirements and procurement route. Until the Business Case has been assessed and approved, I am not in a position to be definitive about the College's plans for the Ballymoney area.

The approval of the College's Outline Business Case will need to take account of the recommendations of a stock-take exercise, which provided a comprehensive analysis of the current position in relation to the core functions of the College across financial, corporate, staff, curriculum and estates planning.

The exercise built on the progress already made through the Business Improvement Plan, which the College previously initiated in response to concerns about its financial position.

The assignment was led by my Department and taken forward with the full cooperation of the College's governing body and management team.

I can assure you that my Department is working very closely with the College to ensure that learners, employers and the wider community in the College's catchment area will benefit from state of the art accommodation and equipment comparable to that which are now available in many other College areas. The completed Business Case approval is expected by January 2015.

Mr Lynch asked the Minister for Employment and Learning for an update on the Review of Agency Workers and the Impact of the Agency Workers Regulations (Northern Ireland) 2011.
(AQO 6704/11-15)

Dr Farry: During the passage of the Agency Workers Regulations Northern Ireland 2011, I gave a commitment to review the effectiveness of the legislation once the regulations were in place for a period of time.

In 2013, my Department commissioned a review of the Agency Workers Regulations to gain a better understanding of their impact on agency workers, agencies and hirers.

The review concluded in May 2014 and the key findings were presented to the Employment and Learning Committee on 18 June 2014. The research found that there was no evidence from agencies, hirers or workers to suggest that the average length of assignment has been adversely impacted by the Agency Workers Regulations.

The Report makes six key recommendations, which focus on improved information and guidance for workers, employers and agencies. My Department will now take forward the implementation of the recommendations in partnership with key stakeholders.

Mr Wilson asked the Minister for Employment and Learning how much revenue expenditure has been allocated to Further Education Colleges in each of the last four years.
(AQO 6705/11-15)

Dr Farry: Over the last four years, I have been committed to ensuring that my Department provides sufficient funding to the further education colleges to enable them to continue their vital work in up-skilling the local population.

In the 2011-12 academic year, the further education sector received a recurrent budget allocation of £143.9 million. This rose to £146 million in 2012-13, £146.9 million in 2013-14 and finally £149.4 million in 2014-15.

This represents an increase of £5.5 million over the four-year period in actual spend, but represents a reduction in real terms.

Mr Clarke asked the Minister for Employment and Learning whether he has any plans to review the training allowances for young students.
(AQO 6706/11-15)

Dr Farry: Training allowances for young students are currently provided through the Education Maintenance Allowance, known as EMA, which is designed to encourage 16 – 19 year olds from disadvantaged families to continue in full time education. My Department jointly manages this with the Department of Education.

Through EMA, Training for Success participants automatically receive a non means tested allowance of £40 per week, with further bonuses available in line with achievement. Assistance with other costs is also provided dependent on personal circumstances.

Learners on other programmes may receive a means tested allowance of £30 per week, with further bonuses again available, dependent on achievement.

The Northern Ireland cross-departmental strategy for young people Not in Education, Employment or Training, 'Pathways to Success', also provides for EMA to be paid to young people participating in projects funded by the European Social and the Collaboration and Innovation funds.

My Department is currently conducting a comprehensive review of youth training. The Department is also developing the United Youth Programme.

The review of youth training is examining the range of training provision available to young people at level 2, and will publish its interim report in the coming months. Concurrently, we are developing United Youth Programme concepts via a co-design process with a view to piloting some new approaches for young people, below level 2, early in 2014.

As part of the review, training allowances for young people across our programmes will, of course, be considered. I believe that this is necessary to ensure we have a consistent approach to allowances across all our training provision.

Mr Dunne asked the Minister for Employment and Learning what progress has been made on his engagement with universities and Further Education Colleges on the development of training and qualifications that are fit for modern employment.
(AQO 6707/11-15)

Dr Farry: I am acutely aware of the need to ensure that the curriculum and qualifications meet the needs of employers as well as students. That is why, in the new apprenticeship strategy, Securing our Success, I said that there would be one qualification for each occupation at the relevant level.

The qualifications and curriculum will be developed through the Sectoral Partnerships, made up of employers, employer representative bodies, colleges of further education and our universities. I have already begun discussions with both the universities and colleges.

Until the new qualifications are developed, the colleges of further education are using the available range of awards and units within the Qualifications and Credit Framework and National Qualifications Framework to maximise the relevance of the educational and training offer for both learners and employers in the modern economy.

Where employers require units to be developed, the further education colleges have worked with awarding organisations to ensure provision is developed in line with the national occupational standards.

In addition, the Higher Education Strategy recognises that higher education must be responsive to the needs of the economy. The strategy emphasises the importance of increasing the number of students undertaking higher-level courses in economically relevant subjects.

In a drive to ensure that higher-level qualifications are fit for modern employment, I am committed to delivering key projects within the strategy which promote graduate employability and knowledge exchange activities between our universities and Northern Ireland businesses.

Mr Elliott asked the Minister for Employment and Learning for an update on the budget pressures on the South West College.
(AQO 6708/11-15)

Dr Farry: In common with the rest of the Further Education sector, South West College has had to wrestle with tightening budgets over the course of the past decade, including this current budget period. Through its approach to income generation, it has fared a little better than some other colleges.

Looking ahead, to 2015/16 and indeed even greater budget uncertainty for 2016 - 2020, the Further Education sector, including South West College, faces an even tougher financial climate and no college will be exempt from this.

At present, the full extent of the proposed budgetary reductions facing my Department is unclear, but I anticipate there will be a significant impact on front line services offered by the colleges.

Department of Enterprise, Trade and Investment

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether (i) Tamboran Resources have requested a further extension to their phase one work programme; (ii) she has granted or refused an extension; and (iii) licence PL2/10 has now ceased to be in operation.
(AQW 35851/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): These matters remain to be fully informed.

Mr Allister asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 34079/11-15, for a breakdown of the £534,502 expenditure on hospitality by her Department's arm's-length bodies.
(AQW 35898/11-15)

Mrs Foster: The breakdown of £534,502 expenditure on hospitality provided by the arms length bodies in 2013/14 is detailed below:

- Invest NI: £509,144
- NITB: £19,692

- CCNI: £896
- HSENI: £4,770

Mr Hazzard asked the Minister of Enterprise, Trade and Investment what current commitments her Department has in relation to the promotion of jobs in South Down; and whether such commitments have been achieved.
(AQW 35934/11-15)

Mrs Foster: During the first 3 years of this Programme for Government period (2011-12 to 2013-14) businesses supported by Invest NI committed to create over 800 new jobs in the South Down constituency.

Since projects typically take between 3 to 5 years to fully implement, meaningful data on the number of jobs created against the 800 promoted will not be available until after this time-frame.

Mr McGlone asked the Minister of Enterprise, Trade and Investment how much public money has been allocated to the Game of Thrones television series.
(AQW 35967/11-15)

Mrs Foster: Invest NI, through its funding support to the Northern Ireland Screen Commission (NI Screen), has provided £12.5million of financial assistance to Home Box Office (HBO). This funding helped to secure the pilot episode of Game of Thrones in 2009 plus five full series.

In order to capitalise on the opportunities the Game of Thrones presents for Northern Ireland as a tourism destination the following has been invested in promotional activity:

- the Northern Ireland Tourist Board has invested approximately £330,000 on all marketing and PR activity including hosting two global exhibitions; online marketing activity; product development and hosting domestic and international journalists; and
- Tourism Ireland has negotiated an agreement with HBO to lend HBO's name and logo to Tourism Ireland campaigns to promote Northern Ireland for holidays in markets across the world. Tourism Ireland has spent in the region of £224,000 on its multi-market campaign on Twitter and Facebook which generated in the region of £1.28million in Equivalent Advertising Value.

Ms Boyle asked the Minister of Enterprise, Trade and Investment to detail the subsidies provided to renewable energy companies operating wind turbines, in the last ten years.
(AQW 36005/11-15)

Mrs Foster: Wind turbines and other renewable electricity technologies receive support under the Northern Ireland Renewables Obligation (NIRO) in the form of Renewables Obligation Certificates (ROCs) issued to generators. As the NIRO is a market-based support mechanism, the actual value of a ROC to a generator will depend on the supply and demand for ROCs during a given obligation period, and the individual arrangements reached between generators and the supplier or other person to whom they sell their ROCs. Table 1 sets out the approximate value of ROCs issued to wind generators in each financial year since the NIRO's introduction in 2005.

Table 1: ROCs issued to onshore wind generators 2005/06 – 2012/13

Year	ROCs issued ('000)	Total value (£'000)
2005-06	254	£9,000
2006-07	321	£11,725
2007-08	405	£15,280
2008-09	593	£23,303
2009-10	715	£29,260
2010-11	695	£28,266
2011-12	1,127	£47,955
2012-13	1,060	£47,460

Notes:

1. **Source**: Ofgem RO Annual Reports
2. ROCs issued rounded to nearest thousand
3. Approximate value of ROCs issued is calculated by multiplying the number of ROCs issued by the buyout price in that year plus 10% (round to nearest £000)

Mr Flanagan asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 33121/11-15, to outline the results from the investigations by The Trading Standards Service into the 15 private tenancy agreements, to determine whether they are unfair or misleading under the Unfair Terms in the Consumer Contract Regulations 1999.
(AQW 36010/11-15)

Mrs Foster: The Department's Trading Standards Service (TSS) has met with the lettings agencies involved to provide advice and to make recommendations on how these private tenancy agreements should be changed to comply with the current guidance.

In all cases, the agents have shown a willingness to engage in the process positively and this process has proved to be effective.

As a result, 14 out of the 15 agreements have either been changed or are in the process of being changed. One agency has closed down.

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether she has granted, or is currently considering, a request for an extension of Tamboran's work programme, following the Minister of the Environment's decision requiring exploratory drilling at Belcoo to be subject to an Environmental Impact Assessment.
(AQW 36011/11-15)

Mrs Foster: This matter remains to be fully informed.

Ms Boyle asked the Minister of Enterprise, Trade and Investment what current commitments her Department has in relation to the promotion of jobs in West Tyrone; and whether such commitments have been achieved.
(AQW 36013/11-15)

Mrs Foster: During the first 3 years of this Programme for Government period (2011-12 to 2013-14) businesses supported by Invest NI committed to create nearly 1,300 new jobs in the West Tyrone constituency.

Since projects typically take between 3 to 5 years to fully implement, meaningful data on the number of jobs created against the 1,300 promoted will not be available until after this time-frame.

Mr Lyttle asked the Minister of Enterprise, Trade and Investment what departmental services she has made available to the public via the post office network.
(AQW 36016/11-15)

Mrs Foster: Individuals who apply for a Debt Relief Order can use the counter services at the Post Office Network to pay their application fee.

Mr Storey asked the Minister of Enterprise, Trade and Investment what assistance her Department can offer to private sector companies who provide 3G communications services in North Antrim.
(AQW 36035/11-15)

Mrs Foster: As a fully privatised sector Mobile communications is one of the most competitive areas of the UK telecommunications market and the four main Mobile Network Operators are currently investing significantly to upgrade their 2G and 3G networks in Northern Ireland. Government can only intervene where the market has failed and in compliance with EU competition law and state aid rules.

For those areas that are not currently being addressed by market forces, the UK Government is implementing the £150 million Mobile Infrastructure project which aims to address mobile voice and basic data not-spots across the UK by March 2015. While the project is focused on 2G technology, it is understood that opportunities will be taken to upgrade to 3G where possible. Northern Ireland is in line for 72 new mast sites under this project.

My Department is maintaining a watching brief on these ongoing initiatives and will assess the need for further government intervention once they have completed.

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment how many of the jobs created by Invest NI in Upper Bann during 2013/14 financial year offer a salary which is (i) less than 25 per cent over; and (ii) 25 per cent or more than the average private sector wage, expressed as a number and as a percentage of all the new jobs created by inward investment projects during this period.
(AQW 36096/11-15)

Mrs Foster: It should be noted that Invest NI does not have a Programme for Government target to promote jobs with average salaries 25% above the Northern Ireland Private Sector Median (NI PSM). The target only relates to the number above the NI PSM.

During 2013-14 Invest NI offered support to promote 423 new jobs in the Upper Bann constituency, 27 of which related to inward investment.

Of these 27 jobs, 25 were secured under the Jobs Fund scheme, for which Invest NI does not have job quality targets; therefore, these have not been included in the answer to question (i) and (ii).

The remaining 2 jobs had salaries which were 25% or more above the NI Private Sector Median salary. This represents 100% of those jobs with a relevant job quality target.

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs created in Upper Bann through first time international investors, that were supported by Invest NI, during the 2013/14 financial year.
(AQW 36098/11-15)

Mrs Foster: During 2013-14 Invest NI promoted 27 new jobs through inward investment projects in the Upper Bann constituency. None of these projects were taken forward by first-time international investors.

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs created in Upper Bann through inward investment projects supported by Invest NI during the 2013/14 financial year.
(AQW 36099/11-15)

Mrs Foster: During 2013-14 Invest NI promoted 27 new jobs through inward investment projects in the Upper Bann constituency.

Mrs D Kelly asked the Minister of Enterprise, Trade and Investment to detail the financial assistance provided by Invest NI to companies in Upper Bann during 2013/14 financial year.
(AQW 36100/11-15)

Mrs Foster: During the 2013-14 financial year Invest NI offered support to the value of £7million to projects in the Upper Bann constituency.

Mr McCallister asked the Minister of Enterprise, Trade and Investment to detail the number of jobs promoted by Invest NI in the Software and Computer Services sector in each of the last three years, broken down by constituency.
(AQW 36124/11-15)

Mrs Foster: The table below shows the number of jobs promoted by Invest NI in the Software and Computer Services sector in each of the last three years (2011-12 to 2013-14), broken down by constituency.

Invest NI New Jobs Promoted within the Software and Computer Services Sectors (2011-12 to 2013-14)

PCA	2011-12	2012-13	2013-14
Belfast East	47	58	117
Belfast North	4	107	21
Belfast South	309	631	244
Belfast West	3	15	22
East Antrim	6	1	-
East Londonderry	10	2	3
Fermanagh & South Tyrone	7	6	-
Foyle	8	212	200
Lagan Valley	12	71	1
Mid Ulster	5	1	3
Newry & Armagh	27	18	16
North Antrim	7	-	-
North Down	18	1	3
South Antrim	10	3	37
South Down	28	12	7
Strangford	5	-	2
Upper Bann	9	7	1
West Tyrone	3	105	3
Location not determined	-	33	69

Notes

1. New Jobs Promoted represents the number of jobs expected to be created by the project.

2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

3 'Location not determined' relates to mostly new FDI projects, whose precise location details are not decided

4 The figures do not include those jobs promoted through the Regional Start Initiative. Projects supported under this scheme cannot be allocated at this level.

Mr McElduff asked the Minister of Enterprise, Trade and Investment to list the postcode areas where her Department has identified poor broadband coverage.
(AQW 36242/11-15)

Mrs Foster: I would refer the member to the NI Direct website (http://www.nidirect.gov.uk/broadband-improvement-project) where details of the postcode areas to be addressed by the current Northern Ireland Broadband Improvement Project (NIBIP) can be found. This project aims to improve the broadband connectivity for more than 45,000 premises by the end of 2015.

In addition, my Department is currently consulting on the proposed intervention area for the Superfast Roll-out Programme Phase 2 (SRP2) project which seeks to increase the coverage of superfast broadband services to 95% of premises by 2017. The consultation document, which can be found on the DETI website (http://www.detini.gov.uk/index/what-we-do/deti-telecoms-index/consultations_from_2014/superfast_rollout_programme_phase_2.htm), contains a list of postcodes where it is considered additional public intervention may be required when the NIBIP is complete.

Mr McNarry asked the Minister of Enterprise, Trade and Investment how the £1.24 million cost of the report into the Northern Ireland Events Company represents value for money.
(AQW 36261/11-15)

Mrs Foster: Under Article 425(2) of the Companies Order 1986, the Department may appoint Company Inspectors in certain specified circumstances. In the case of the Northern Ireland Events Company, it appeared to the Department that there were circumstances in the management and conduct of the Company which suggested that public money may have been misused. These circumstances fall within Article 425(2) of the 1986 Order. The public interest served by the conduct of an investigation into the affairs of the Company in such circumstances is both clear and significant and cannot be assessed in simple monetary terms. I am, therefore, satisfied that the cost of the investigation into and report on the Northern Ireland Events Company was in the public interest.

Mr Irwin asked the Minister of Enterprise, Trade and Investment whether her Department plans to reduce the level of Renewable Heat Incentives for new commercial biomass boilers.
(AQW 36264/11-15)

Mrs Foster: The non-domestic Renewable Heat Incentive, (RHI) has been in place since November 2012 and supports biogas, biomass, ground heat pumps and solar. Tariffs haven't been reduced and are reviewed annually in line with inflation.

A consultation on phase II of RHI was undertaken last year, (July – October) with a focus on support for a range of new technologies. There are no proposals in the consultation to reduce incentives. Phase II developments will be taken forward in 2015.

Mr McKay asked the Minister of Enterprise, Trade and Investment what work her Department has carried out on making Wi-Fi available in all parts of Ballycastle.
(AQW 36304/11-15)

Mrs Foster: During 2009/10 my Department supported a small number of pilot projects providing free wi-fi in town centres, one of which was in Ballycastle. Working with internet service provider -The Cloud and Moyle District Council, DETI made funding of up to £25,500 available for a project that would: -

- examine the impact of delivery of a number of wi-fi access points in a town with a tourism focus;
- examine the relative merits of deploying a series of hotspots within existing business premises through creation of an external mesh;
- promote environmental sustainability in terms of encouraging mobile browsing; and
- assist visitors to the town by providing reliable, cost-effective "pay-as-you-go" access to a broadband service as part of the overall experience of visiting business premises such as restaurants, guest houses, public houses and café/coffee shops.

A post project evaluation completed in 2010 concluded that although the number of host businesses was lower than had been anticipated, the level of use was significant and as such the project was considered successful.

Following completion of the pilot, The Cloud entered into commercial discussions with host businesses about the ongoing use of the service to meet both their own broadband needs and to offer a service which complements their traditional business by offering wi-fi access to customers. The outcome is that this service is continuing.

Mr McKay asked the Minister of Enterprise, Trade and Investment what analysis her Department has carried out on the benefits the Giro d'Italia has had on Ballycastle town.
(AQW 36306/11-15)

Mrs Foster: The Northern Ireland Tourist Board (NITB) is undertaking an evaluation of the Giro d'Italia Grande Partenza, based on research among event attendees over the period of the race and the associated festival activity. This will also include an assessment of the return on public investment. It is hoped that this report will be available by end October.

Interim results have identified that there were 230,000 spectators over the period of the event.

NITB's survey has demonstrated that spectators along the Giro d'Italia Grande Partenza route felt it would improve Northern Ireland's global image and reputation as a tourist destination and host of major events. Further benefits included increased civic pride. Any such benefits to Northern Ireland's global position and perception will likely benefit its constituent regions and towns, including Ballycastle.

Mr Campbell asked the Minister of Enterprise, Trade and Investment what initial assessment has been made of the success of the Northern Ireland Airshow held in Portrush on 6 and 7 September 2014.
(AQW 36327/11-15)

Mrs Foster: 'Air Waves Portrush' was an extremely well attended event and appears to have achieved record numbers of visitors.

No assessment has been carried out by my Department or the Northern Ireland Tourist Board in relation to the event.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment what discussions have taken place with mobile phone operators to improve mobile phone coverage in and around the village of Derrygonnelly, Co Fermanagh.
(AQW 36394/11-15)

Mrs Foster: My Department maintains regular contact with the Mobile Network Operators (MNOs) but there have been no discussions specifically around coverage in Derrygonnelly. The member will be aware that the telecommunications market is fully privatised and independently regulated, with investment decisions taken on the basis of commercial return. In recent years the MNOs have been investing significantly to improve their 2G and 3G networks. For instance, to the end of 2013, 'EE' had invested some £30 million in its Northern Ireland network while 'Three' had invested over £12 million.

To address areas where the market is not currently investing, the Department of Culture, Media and Sport (DCMS) is currently implementing the Mobile Infrastructure project which is focused on 2G technology. However, it is understood that operators will future proof the infrastructure being deployed, in order to further support 3G, 4G and beyond, where possible.

Following a review of the National Implementation Plan, which took account of the impact of MNO investment, Northern Ireland is now in line for the deployment of 72 nominal, new mast sites which should help improve mobile services across Northern Ireland, including County Fermanagh. Once completed, DETI will assess the need for further Government intervention.

Department of the Environment

Lord Morrow asked the Minister of the Environment on how many occasions, detailing the dates and venues, have departmental officials or associated agency staff held meetings with him in which a briefing was included on the detrimental impact that the proposed Single Tier Taxi System, in its present format, will have on Belfast Public Hire Taxis and smaller private hire taxi operators.
(AQW 35809/11-15)

Mr Durkan (The Minister of the Environment): The reforms to the taxi industry under the Taxis Act (NI) 2008 are designed to deliver a safe, fair and fit for purpose industry. I have met with representatives of the taxi industry and its users, and with my officials, on many occasions and have explored many different aspects of the reforms. These have on many occasions included discussion of the concerns of Belfast Public Hire taxi drivers on the potential impact of the reforms on their activities.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 33401/11-15, to detail (i) the reason why his Department did not pursue enforcement action in relation to unauthorised extraction of sand from Lough Neagh Special Protection Area; (ii) who was responsible for the decision; (iii) when the decision was taken; and (iv) what consideration was given to the requirements of the Environmental Impact Assessment, Habitats and Wild Birds Directives prior to reaching the decision.
(AQW 35964/11-15)

Mr Durkan: I am aware that the dredging of sand has been an inherent part of Lough Neagh's environmental and economic existence for over 70 years. The operations on the Lough provide a significant contribution to the surrounding areas and the wider economy through employment, investment and environmental management.

I can confirm that historically, enforcement action in relation to unauthorised dredging on the Lough has not been pursued. I am unaware why this situation arose but I am now committed to dealing with the issue. Having been made aware of the matter, I have asked officials to investigate. A live investigation is currently ongoing.

I will of course make my decisions on how to regularise this breach in light of the need to balance the value of the mineral to the economy, the environmental implications of the development and the degree to which adverse effects can be mitigated.

Mrs Dobson asked the Minister of the Environment what steps he is taking to address health and safety concerns at Roe Valley Country Park following the damage to two paths caused by a heavy thunderstorm in June 2014.
(AQW 36001/11-15)

Mr Durkan: Part of the riverside pathway along the West Bank area of the Country Park was damaged as a result of a landslide which followed thunderstorms and flash flooding on 26 May 2014. Another section of pathway in the West Bank area, had previously suffered significant damage as a result of a landslide in the Autumn of 2006 and it is deemed to be beyond repair.

These two sections of pathways have been fenced off at both ends with warning signs displayed at the barriers advising: 'Caution Landslide'. The barriers and signage are checked on a daily basis for any damage or faults and are repaired as necessary.

It is unfortunate that these pathway sections have had to be closed to ensure public safety. However, previous repairs have remained vulnerable to extreme weather so there is a need to seek an alternative, more permanent solution, bearing in mind the current financial constraints. I can assure you that as funding becomes available, NIEA officials will seek to re-instate public access, initially to the riverside pathway.

Meanwhile, visitors can still enjoy over 10 miles of walkways which remain readily accessible within the Roe Valley Country Park.

Mr Easton asked the Minister of the Environment whether his Department will investigate the building works that are currently affecting a conservation at The Commons, Donaghadee.
(AQW 36004/11-15)

Mr Durkan: Following several reports within the past month of vegetation clearance from concerned members of the public, community groups and elected representatives of scientific staff from the Northern Ireland Environment Agency (NIEA) carried out site visits at The Commons, Donaghadee on 28 August 2014 and again on 22 September 2014.

The Commons at Donaghadee is adjacent to Outer Ards Area of Special Scientific Interest (ASSI). Outer Ards ASSI was declared on 23 December 2002.

ASSIs are afforded legal protection against specified operations or activities that could be damaging to the ASSI scientific features for which the site was declared.

Following the 2 site visits above it was found on both occasions that the vegetation clearance lay outside the ASSI also NIEA scientific staff observed absolutely no evidence of "building works" having being undertaken in this area.

Mr Campbell asked the Minister of the Environment, following storm damage to paths during June 2014 in Roe Valley Country Park, what action is being taken to fully restore the paths and ensure the safety of people continuing to use them.
(AQW 36057/11-15)

Mr Durkan: Part of the riverside pathway along the West Bank area of the Country Park was damaged as a result of a landslide which followed thunderstorms and flash flooding on 26 May 2014. Another section of pathway in the West Bank area, had previously suffered significant damage as a result of a landslide in the Autumn of 2006 and it is deemed to be beyond repair.

These two sections of pathways have been fenced off at both ends with warning signs displayed at the barriers advising: 'Caution Landslide'. The barriers and signage are checked on a daily basis for any damage or faults and are repaired as necessary.

It is unfortunate that these pathway sections have had to be closed to ensure public safety. However, previous repairs have remained vulnerable to extreme weather so there is a need to seek an alternative, more permanent solution bearing in mind current financial constraints. I can assure you that as funding becomes available, NIEA officials will seek to re-instate public access, initially to the riverside pathway.

Meanwhile, visitors can still enjoy over 10 miles of walkways which remain readily accessible within the Roe Valley Country Park.

Mr Weir asked the Minister of the Environment how many Planning Enforcement Actions have led to criminal convictions.
(AQW 36077/11-15)

Mr Durkan: The table below outlines the number of prosecution cases that were initiated and the number of convictions for planning enforcement related offences in the last 3 years, and first quarter of 2014/15.

	2011/12	**2012/13**	**2013/14**	**2014/15***
Prosecution cases initiated	126	145	72	1
Convictions	41	80	53	9

* Provisional 1st quarter figures from April to June 2014.

Mr Lyttle asked the Minister of the Environment what departmental services he has made available to the public via the post office network.
(AQW 36091/11-15)

Mr Durkan: The Post Office holds stocks of driver literature forms for the Driver and Vehicle Agency. Other than this, the Post Office currently does not carry out any customer services on behalf of the Department of the Environment.

Mr Agnew asked the Minister of the Environment, since its introduction as part of the MOT test, whether the diesel emissions test has ever been discontinued; and if so, to detail (i) why it was discontinued; and (ii) whether the EU institutions were informed.
(AQW 36113/11-15)

Mr Durkan: The European Roadworthiness Directive required Member States to introduce a diesel emission test (metered smoke test) from 1 January 1996. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 provided for the introduction of the diesel emission test from 1 January 2000. A compliant emission test was initially introduced in Northern Ireland on 1 March 2006.

However, the test for cars and light goods vehicles was suspended in June 2006 for health and safety reasons relating to the build-up of fumes in the test hall. This was because the emissions from these vehicles are assessed under full throttle conditions.

Subsequent efforts to secure the necessary investment in infrastructure to protect against fumes through an existing PFI contract proved to be unsuccessful. The PFI contract was terminated in 2013. The re-introduction of a safe emissions test will require significant investment in the Vehicle Testing estate. Following a prolonged period of complex legal negotiations the Department has put in place the necessary contractual arrangements which will allow this investment to take place. The Driver & Vehicle Agency has embarked on an infrastructure programme which will modernise the services it offers its customers and provide capacity to meet the increasing demand for vehicle tests. This programme will include the re-introduction of a safe emission test for diesel cars and light goods vehicles. In the meantime, the emissions from cars and light goods vehicles will continue to be subject to a visual inspection and heavy goods vehicles and buses continue to be tested in full compliance with the European Roadworthiness Directive.

The EU institutions have not been informed of the partial suspension of the diesel emission test. The DVA have always planned to re-introduce the test as soon as contractual constraints were removed and a planned programme is now underway.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 35226/11-15, whether his Department are acting on their statutory powers in this instance to pursue a prosecutable offence; and if not, to detail the reasons for this.
(AQW 36135/11-15)

Mr Durkan: The Department determined that the provision of taxi services at Ravenhill Rugby Ground was compliant with the requirements of the Taxis Act (NI) 2008 and other related legislation and therefore no prosecutable offences are currently being pursued.

Mr Weir asked the Minister of the Environment what discussions he has had with his counterpart in Westminster in relation to the practical difficulties following the removal of vehicle licensing from Coleraine.
(AQW 36149/11-15)

Mr Durkan: 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 resulting from the transfer of the service, reassuring me that these would be rectified as a matter of priority.

Mr Hussey asked the Minister of the Environment (i) what actions are in place to distinguish Northern Ireland registered vehicles from vehicles registered in other parts of the UK by the Driver and Vehicle Licensing Agency to ensure that vehicles are not considered due MOT after three years rather than the four years required in Northern Ireland; and (ii) what steps are in place to ensure vehicles brought into Northern Ireland are exempt from MOT until they are four years old.
(AQW 36191/11-15)

Mr Durkan: Responsibility for vehicle registration and licensing now rests with the Driver and Vehicle Licensing Agency (DVLA) in Swansea. I have been advised that DVLA's solution to the differing MOT requirements between Northern Ireland and GB was to develop their system to determine when a vehicle is due its MOT based on the postcode of the registered keeper. Therefore, vehicles with a BT postcode will be prompted for an MOT after 4 years, with the remaining postcodes prompting after 3 years. Northern Ireland customers who purchase a GB registered vehicle which is aged between 3 and 4 years old will be unable to use the online relicensing facility, however, they are able to tax their vehicle over the counter in the Post Office.

In terms of ensuring vehicles brought into Northern Ireland are exempt from an MOT until they are four years old, the DVA conduct annual vehicle tests (MOT) in compliance with The Road Traffic (Northern Ireland) Order 1995. This Order provides

DVA with the statutory powers to test vehicles from four years old. The Agency does not conduct tests on vehicles less than four years old as it has no powers to do so.

DVA's vehicle test booking system will prevent the booking of a vehicle that is not due an annual test and the system will inform the customer accordingly. DVA also publishes the vehicle test due dates on its test application forms and online.

Mr Brady asked the Minister of the Environment for his assessment of the problems encountered in relation to the taxation of vehicles since this function was transferred to Swansea.
(AQW 36317/11-15)

Mr Durkan: As a result of the transfer of vehicle registration and licensing services to the DVLA in Swansea, some transitional issues emerged which affected customers in the North.

I wrote to the Parliamentary Under Secretary of State, Robert Goodwill MP, on 13 August 2014, on behalf of local customers to express my disappointment that the level of service provided by DVLA was not of the high standard expected here.

In response to my letter, Claire Perry MP replied confirming that she was aware that there were issues with a small number of records resulting from the migration of the information, reassuring me that these would be rectified as a matter of priority.

Mr Clarke asked the Minister of the Environment, if a farmer has all groups/categories on their drivers licence, whether they are required to have a Certificate of Professional Competence to move their own animals from (i) farm-to-farm; (ii) farm-to-mart; and (iii) mart-to-farm.
(AQW 36396/11-15)

Mr Durkan: The Driver Certificate of Professional Competence (Driver CPC) requirements were introduced throughout Europe by EU Directive 2003/59. The Directive was transposed into UK law by The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, and took effect in September 2008 for category D1 and D (bus) drivers and in September 2009 for category C1 and C (lorry) drivers.

Article 2 of the Directive sets out the exemptions, however, the Directive does not exempt farmers or agricultural vehicles from the requirements to hold a Driver CPC.

I am aware that the European Commission is reviewing the Directive and as part of the review process a number of key stakeholders, including the National Farmers' Union, took part in discussions on the effectiveness of implementation in October 2013. As a result, the UK response to the Commission called for clarity about what driving activity is intended to be in scope and for further detail in relation to the exemptions set out in Article 2, referring to the requests from the agricultural sector.

The conclusion of the review is still awaited. Therefore in the circumstances outlined above, there is no current exemption for farmers.

Mr Agnew asked the Minister of the Environment for an update on investigations into possible habitat destruction at the Second Commons in Donaghadee.
(AQW 36443/11-15)

Mr Durkan: Following several reports over recent weeks of vegetation clearance at the Commons, Donaghadee, from concerned members of the public, community groups and elected representatives, scientific staff from the Northern Ireland Environment Agency (NIEA) carried out site visits at The Commons, Donaghadee on the 28 August 2014 and on 22 September 2014.

The Commons at Donaghdee is adjacent to Outer Ards Area of Special Scientific Interest (ASSI) which was declared on 23 December 2002.

ASSIs are afforded legal protection against specified operations or activities that could be damaging to the ASSI scientific features for which the site was declared.

Following the two site visits, NIEA scientific staff were satisfied that the vegetation clearance lay outwith the designated ASSI.

Mr Agnew asked the Minister of the Environment whether the Rathlin 1 well is subject to cement bond logging oversight by his Department; and whether any future wells will be subject to cement bond logging regulation.
(AQW 36501/11-15)

Mr Durkan: DOE Planning do not have the remit to regulate cement bond logging. Regulation of any cement bond logging undertaken at a well would fall to the Health and Safety Executive and DETI.

Mr Agnew asked the Minister of the Environment what measures have been (i) considered; and (ii) implemented following the Better Regulation consultation.
(AQW 36578/11-15)

Mr Durkan: In May 2013, my Department published a consultation paper on "Proposals for an Environmental Better Regulation Bill". The key legislative measures proposed in the paper were to provide for an integrated environmental permitting regime and to rationalise the powers of entry associated with environmental inspection and investigation. Together these measures will provide a simpler and more streamlined regulatory regime and ease the administrative and compliance burden on Northern Ireland businesses.

My Department has taken into account the comments received on its proposals and has been working with key stakeholders to finalise the draft Environmental Better Regulation Bill. The Bill is currently at an advanced stage of drafting and, subject to the approval of the Northern Ireland Executive, should be introduced to the Northern Ireland Assembly during its current mandate.

My Department has also been engaged in the initial scoping of options for the subordinate legislation needed to give the Bill practical effect.

In addition, the Northern Ireland Environment Agency (NIEA) has been developing Prosperity Agreements; a new tool to make it easy for responsible companies to do good business. They are voluntary agreements through which NIEA and an organisation can explore opportunities for reducing environment and heritage impacts in ways that create prosperity and well-being.

The likely outcomes for businesses will include improved service from NIEA, reducing the need to deal individually with different parts of the Agency in an un-coordinated way or having to spend too much time on process and not enough time on outcomes. Prosperity Agreements will entrench minimum compliance and allow business to work with the NIEA on opportunities that exist to create a better environment and a stronger economy.

I launched the first Prosperity Agreement on 21 August 2014 with Linden Foods and Linergy and more are expected over the next year.

Mr Swann asked the Minister of the Environment to detail the 2014/15 pay scales for (i) Professional and Technical Officers; (ii) Recruitment Agency Staff; (iii) Curatorial Grade D; (iv) Higher Scientific Officers; (v) Senior Scientific Officers; and (vi) Principal Scientific Officers.
(AQW 36594/11-15)

Mr Durkan: NICS pay and grading is negotiated centrally by DFP. Management and Trade Union Sides are currently engaged in negotiations on the terms of the 2014 pay offer to Non Industrial staff. Therefore the information provided is based on the current pay scales for the period 1 August 2012 to 31 July 2014 and set out in attached table. Comprehensive information on NICS pay is also available from the DFP pay website www.dfpni.gov.uk/pay.

NICS Grade	Pay scale effective from 1 August 2014
Professional and Technical Officers/Scientific Officers	Max 27,271 5 26,991 4 26,711 3 26,431 2 26, 151 1 25,871
Higher Scientific Officer	MAX 31,135 5 30,608 4 30,081 3 29,554 2 29,027 1 28,500
Curatorial Grade D and Senior Scientific Officer	MAX 39,675 5 38,778 4 37,881 3 36, 984 2 36,087 1 35,190
Principal Scientific Officer	Max 51,816 5 50,681 4 49,546 3 48,411 2 47,276 1 46,141

Mr Agnew asked the Minister of the Environment what is the process to have a path designated as a public right of way; and what criteria is used to judge an application for such a designation.
(AQW 36734/11-15)

Mr Durkan: Responsibility for the assertion, protection and maintenance of public rights of way lies with the local council under Article 3 of the Access to the Countryside (NI) Order 1983 (the Order). Public rights of way are established under common law. They exist, whether designated or not designated.

A public path can also be created by agreement under Article 11 of the Order or, where it appears to a district council that there is such a need and subject to confirmation by the Department, under Article 12 through the use of compulsory powers. Both Articles include provision for the creation of a public right of way where appropriate.

There is no description of the process or criteria for assertion of a public right of way within this legislation. The Department has provided guidance notes on the law, practices and procedures in Northern Ireland in "A guide to public rights of way and access to the countryside", more commonly referred to as "the Red Book". This includes an explanation about how rights of way are established under common law and how a council can assert a public right of way. Section 4 of the Red Book is: Asserting and recording public rights of way. This includes the type of evidence a council may seek to make a case for a formal assertion. http://www.doeni.gov.uk/niea/protected_areas_home/access_to_the_countryside/legal_responsibilities.htm

Department of Finance and Personnel

Mr Allister asked the Minister of Finance and Personnel whether a letter dated 2 February 2012 from Turkington Holdings Ltd was received by his Department and, if so, (i) what action resulted; and (ii) did a reply issue.
(AQW 28360/11-15)

Mr Hamilton (The Minister of Finance and Personnel): A letter dated 2 February 2012 from Turkington Holdings Ltd was not received by the Department.

Mr Girvan asked the Minister of Finance and Personnel what action he intends to take in relation to practices by the Royal Bank of Scotland's Global Restructuring Group in exposing their customers to aggressive Vulture Funds who are bidding for the disposal of Ulster Bank debts.
(AQW 35346/11-15)

Mr Hamilton: I am meeting with representatives from the Royal Bank of Scotland and the Ulster Bank in the near future to discuss RBS Capital Resolution's strategy for addressing impaired loans in the Ulster Bank.

Mr Girvan asked the Minister of Finance and Personnel to detail the outcome of his meeting with the Financial Secretary to the Treasury on 4 December 2013 and in particular his concerns that similar practices of the Royal Bank of Scotland's Global Restructuring Group were occuring in Northern Ireland.
(AQW 35348/11-15)

Mr Hamilton: I used the meeting with the Financial Secretary to the Treasury to raise a number of concerns I had about the Ulster Bank. These included the implications of the Government Review of RBS for the future of the Ulster bank, which had yet to be published at that time, and the concerns raised by Lawrence Tomlinson.

In terms of the latter, I await the outcome of an ongoing FCA review, which is expected in early 2015.

Mr G Robinson asked the Minister of Finance and Personnel what cuts will be made to his budget as a result of the lack of agreement on Welfare Reform.
(AQW 35402/11-15)

Mr Hamilton: The quantum of the total cut to the DFP budget for 2014-15 is yet to be confirmed.

As part of June monitoring, DFP was required to surrender £3.2m to contribute to the financial pressures faced by the Executive. At least a further £3.6m will be required in October monitoring, representing an overall 4.4% reduction to the DFP budget.

In order to deliver these reductions, the Department has critically reviewed all vacancies and has also reduced other areas of uncommitted expenditure. This will impact principally on the services delivered to other departments by Enterprise Shared Services.

Mrs Cochrane asked the Minister of Finance and Personnel to detail (i) the differences in predefined minimum/maximum salary scales for employees of the Northern Ireland Civil Service compared to their counterparts in the rest of the UK; and (ii) whether his Department plans to implement regional pay.
(AQW 35558/11-15)

Mr Hamilton: I attach a link to the NISRA publication Statistical Bulletin: Pay Statistics for

the Northern Ireland Civil Service 2013 which show the minimum and maximum pay points of the payscale for each general service grade from AA to Grade 6 in the NICS, the Scottish Government, and various UK Departments.

http://www.nisra.gov.uk/publications/Pay_Statistics_for_the_NICS_2013.pdf

The Department for Finance and Personnel currently has no plans to implement regional pay.

Mr Campbell asked the Minister of Finance and Personnel to detail the current estimated population of the Greater Belfast area, for the purposes of the designation of a Travel to Work Area.
(AQW 35633/11-15)

Mr Hamilton: The latest estimate of the population of the Belfast Travel to Work Area, relating to June 2013, was 903,500 persons.

Background Note

1. The Northern Ireland mid-year population estimate relates to the usually resident population of Northern Ireland including Her Majesty's Forces stationed here. Most recently, mid-2013 population estimates were published on 26 June 2014.
2. The current 11 Travel to Work Areas in Northern Ireland were defined in 2007 using 2001 Census information on home and work addresses. Travel to Work Areas are continuous groups of Super Output Areas.
3. The Belfast Travel to Work Area contains the whole of Ards, Belfast, Carrickfergus, Castlereagh, Newtownabbey and North Down Local Government Districts, as well as a minor part of Banbridge Local Government District and major parts of Antrim, Down, Larne and Lisburn Local Government Districts. Population estimates by Super Output Area have been used to derive the population estimate for the Belfast Travel to Work Area.
4. The Office for National Statistics is drawing up plans to create updated UK Travel to Work Areas using commuting flow data from the 2011 Census. It is intended that the updated Travel to Work Areas will be published in 2015.

Mr Spratt asked the Minister of Finance and Personnel how many people were economically inactive in each of the last three years, broken down by constituency.
(AQW 35675/11-15)

Mr Hamilton: Estimates of the number of people who are economically inactive by constituency are shown in the attached table.

Estimates are based on the Labour Force Survey, a sample survey, and are therefore subject to sampling variability.

Table: Number of people who are economically inactive (aged 16-64) by Assembly Area

Assembly Area	April - June 2012	April - June 2013	April - June 2014
Belfast East	15,000	15,000	14,000
Belfast North	18,000	14,000	19,000
Belfast South	19,000	20,000	24,000
Belfast West	14,000	20,000	19,000
East Antrim	10,000	16,000	15,000
East Londonderry	19,000	22,000	11,000
Fermanagh South Tyrone	19,000	16,000	22,000
Foyle	21,000	24,000	25,000
Lagan Valley	17,000	21,000	17,000
Mid Ulster	19,000	17,000	18,000
Newry & Armagh	18,000	15,000	17,000
North Antrim	20,000	22,000	17,000
North Down	12,000	13,000	8,000
South Antrim	16,000	16,000	13,000
South Down	21,000	22,000	18,000
Strangford	16,000	15,000	13,000
Upper Bann	24,000	22,000	21,000
West Tyrone	18,000	18,000	21,000
Northern Ireland	317,000	328,000	311,000

Source: Labour Force Survey

Totals may not sum due to rounding.

Mr P Ramsey asked the Minister of Finance and Personnel for an update on the Rates Revaluation Programme.
(AQW 35699/11-15)

Mr Hamilton: The revaluation project remains on target to deliver new rateable values that will be used in non domestic rate bills from 1 April 2015 onwards. Land & Property Services intend to provide ratepayers with early sight of the individual values when they are released on the Department's website in early November 2014.

Mr McElduff asked the Minister of Finance and Personnel whether his Department will introduce rates relief or provide a rebate for rate payers who, at this time of economic challenge, are burdened with control of derelict properties in towns and villages where the levels of social deprivation, unemployment and economic inactivity are very high.
(AQW 35705/11-15)

Mr Hamilton: Only properties that appear in the Valuation List fall liable for rates. If a property is derelict and incapable of beneficial occupation it will not be in the Valuation List and therefore rates will not be payable.

Occupiers of premises adjacent to derelict properties can at any point submit an application to the District Valuer in LPS to review their rateable value, if they consider the rateable value of their property to be adversely affected by neighbouring derelict properties. The District Valuer will review each situation on a case by case basis to determine if any adjustment to the rateable value is warranted.

Mr Copeland asked the Minister of Finance and Personnel for his assessment of the findings of his Department's inquiry into alleged political interference of the Board of the Northern Ireland Housing Executive.
(AQW 35728/11-15)

Mr Hamilton: This is not a matter for the Department of Finance & Personnel.

Mrs D Kelly asked the Minister of Finance and Personnel to detail (i) when the report on the conduct of the Minister of Social Development's Special Advisor will be published; (ii) whether the findings of the report will be shared with Mrs Jenny Palmer; and (iii) the reasons for the delay in publishing the report.
(AQW 35740/11-15)

Mr Hamilton: This is not a matter for the Department of Finance & Personnel.

Mr Hussey asked the Minister of Finance and Personnel, pursuant to AQO 6287/11-15, for an update on the equal pay claim from the Northern Ireland Office and the administrative staff of the PSNI.
(AQW 35745/11-15)

Mr Hamilton: As I have previously stated, it has been clearly established that there is no valid equal pay claim upon which to base a settlement for this group. However, I hope that the paper I circulated to Executive colleagues before the summer recognises the moral argument put forward and will satisfactorily resolve the issue for this group of staff. I now await the agreement of Executive colleagues for the paper to be brought forward for discussion since my recommendation and any expenditure will require their agreement. While I appreciate the frustration of staff affected, the matter is now in the hands of the Executive.

Mr Hazzard asked the Minister of Finance and Personnel to detail the specific circumstances in which a ratepayer may be entitled to partial or full rate relief.
(AQW 35748/11-15)

Mr Hamilton: The award of Rate Relief is dependent on a number of factors (or specific circumstances). These can include:

- household income;
- the number of dependants in a household; and
- the claimant's weekly rating liability.

It is therefore difficult to give exact situations where customers will be entitled to either full or partial awards of Rate Relief.

Rate Relief is only awarded after a customer's eligibility for Housing Benefit has been assessed and is a means to provide assistance to those who may not be entitled to receive full Housing Benefit.

The parameters/circumstances for determining Housing Benefit and Rate Relief are set by legislation.

More information can be found at www.nidirect.gov.uk/housing-benefit-rate-relief or by contacting LPS on 0300 200 7802.

Mr McCallister asked the Minister of Finance and Personnel, since the inception of the Small Business Rates Relief Scheme, to detail (i) the number of small businesses that have benefited from the scheme in South Down; and (ii) how much the scheme has saved businesses in South Down.
(AQW 35832/11-15)

Mr Hamilton: Information on the number of small businesses that have benefited from the Small Business Rate Relief scheme in the South Down Constituency is not available. However, since the scheme began in April 2010 the number of non-domestic properties that have benefitted in the Banbridge, Down and Newry & Mourne Council areas, and the amount by which those properties benefited, is provided in the table overleaf.

District Council	Number of Non-Domestic Properties that Benefited from SBRR since April 2010	Amount of SBRR
Banbridge	829	£1,595,638
Down	1,418	£2,717,294
Newry & Mourne	1,872	£3,422,202

Mr McGlone asked the Minister of Finance and Personnel, pursuant to AQW 35099/11-15, for an update on the progress of his Department's proposed settlement on the issue of Equal Pay for PSNI and Northern Ireland Office staff, following the circulation of the proposal to the Executive.
(AQW 35929/11-15)

Mr Hamilton: As I have previously stated, it has been clearly established that there is no valid equal pay claim upon which to base a settlement for this group, so this is not an 'equal pay issue'. The recommendation and associated expenditure set out in the paper I circulated to Ministerial colleagues before the summer requires their approval, but has not yet been brought forward for discussion. The matter is now in the hands of the Executive.

Mr Weir asked the Minister of Finance and Personnel to detail the number of people that have received (i) partial; and (ii) full rate relief, in each of the last five years.
(AQW 35989/11-15)

Mr Hamilton: The number of people who were in receipt of (i) partial; and (ii) full rate relief, as at 31st March in each of the last five years is shown in the table below.

Year	Number of People Receiving Rate Relief at 31st March Each Year from 2010 to 2014	
	Partial Rate Relief	Full Rate Relief
2010	11,248	334
2011	14,359	463
2012	16,238	518
2013	17,002	559
2014	16,920	587

Mr Lyttle asked the Minister of Finance and Personnel what departmental services he has made available to the public via the post office network.
(AQW 36017/11-15)

Mr Hamilton: My Department has made the following services available to the public via the post office network:

- Members of the public are able to pay their rates bills in Post Offices that have the Payzone Service. Rates can be paid in full in one payment to avail of a four per cent discount or by instalments.
- The Post Office is also a Go ON NI partner and uses the Go ON database of internet access points and libraries as part of the Get Connected campaign. Members of the public can ask in the Post Office where they can access the web and Post Office staff will use the database to advise them of the three nearest access points.

Mr Clarke asked the Minister of Finance and Personnel to outline the rationale for charging a tenant, as opposed to the landlord, rates on property valued over £150,000.
(AQW 36037/11-15)

Mr Hamilton: The domestic rating system has developed and is long established as a tax on the occupier however the owner or landlord is normally liable for rates in respect of lower value rental properties. This has been a feature of the Northern Ireland rating system for over 85 years.

A valuation limit is applied because the evidence shows that collection and recovery difficulties tend to occur in lower value rented properties because as a rule they are occupied by a more transient population. The general principle that the occupant is liable remains for higher value properties.

The valuation threshold had to be changed when all domestic properties were revalued in 2007 on a capital value basis. The setting of the £150,000 threshold was informed by a consultation undertaken by DFP in 2006, which was based on a study undertaken by the Institute of Revenues, Rating and Valuation in 2005. Evidence for the continuing transient nature of private rented housing in Northern Ireland was obtained from Northern Ireland Statistical Research Agency's Continuous Household Survey.

Having said all of this, I have asked my officials to review the whole question of landlord liability next year, as the current arrangements can cause confusion.

Mr McCarthy asked the Minister of Finance and Personnel, in relation to apartment reform, how many times has the Apartments Interdepartmental Implementation Group met.
(AQW 36043/11-15)

Mr Hamilton: The Apartments Report Implementation Group has met on two occasions in full plenary session. In addition there have been numerous bilateral exchanges between the departments represented, whether by correspondence or by separate meetings between departments directly affected by a particular aspect of the relevant recommendations.

Mr Weir asked the Minister of Finance and Personnel how many people have (i) applied for; and (ii) are in receipt of Lone Pension Allowance in North Down, in each of the last five years.
(AQW 36076/11-15)

Mr Hamilton: Lone Pensioner Allowance is administered jointly by Land & Property Services (LPS) and Northern Ireland Housing Executive (NIHE).

The number of applications and recipients of Lone Pensioner Allowance administrated by LPS in the North Down District Council area is given in the table overleaf for each of the last five financial years. Information on the number of NIHE applications and recipients broken down by district council is not available.

Number of Applications and Recipients of LPS-administrated LPA in North Down DC from 2009/10 to 2013/14

	2009/10	2010/11	2011/12	2012/13	2013/14
Number of Applications	299	229	244	209	241
Number of Recipients	1,783	1,900	1,989	2,019	2,080

Mrs Cochrane asked the Minister of Finance and Personnel to detail the number of incorrect rating valuations on commercial properties made by Land and Property Services, that were later rectified and new bills issued, in each of the last three years.
(AQW 36085/11-15)

Mr Hamilton: Rate bills are issued by Land & Property Services (LPS) at the beginning of each financial year. Supplementary bills are issued regularly as a consequence of in-year changes. These changes include: physical alterations to a property such as an extension, subdivision or demolition of part or the whole of a property; occupier changes; or changes to the valuation of a property following a challenge.

LPS billing systems do not distinguish the historic reason for each supplementary bill issued in-year. It is, therefore, not possible to provide the detail requested.

Mr Allister asked the Minister of Finance and Personnel to detail the local consultants involved in the sale of the National Asset Management Agency's Northern Ireland debt portfolio to Cerberus Capital Management.
(AQW 36095/11-15)

Mr Hamilton: My Department is not responsible for NAMA which is an agency of the Irish Government. I therefore do not hold this information.

Mr Allister asked the Minister of Finance and Personnel for his assessment of the future of companies whose borrowings lie within the Project Achill portfolio, should it be sold by Ulster bank to external financial interests.
(AQW 36097/11-15)

Mr Hamilton: I am due to meet with Senior Management in the Ulster Bank in the near future to discuss the bank's approach to loan portfolio disposals and the implications of that for debtors.

Mr Irwin asked the Minister of Finance and Personnel what measures he has put in place to prevent disbarred company directors from serving on boards and committees which administer public funds.
(AQW 36159/11-15)

Mr Hamilton: When recruiting for new members to serve on the boards or committees of DFP-sponsored bodies, applicants will be asked to provide details of any probity issues that could call into question their own reputation and/or damage the reputation of the body to which they are applying. This would include reference to disbarred company directors.

The selection panel will then fully explore and assess these issues at interview. If the applicant fails to provide a satisfactory response and demonstrate a clear commitment to the principles of public life, he or she will be judged not suitable for appointment.

Mr B McCrea asked the Minister of Finance and Personnel to detail the schedule of financial penalties that will result from the failure to implement Welfare Reform, over the next five years.
(AQW 36175/11-15)

Mr Hamilton: The Chief Secretary has confirmed that the cost of not implementing welfare reform will be £87 million this year and £114 million next year. This will increase significantly over time. DSD estimates from January suggest that the cost could rise to £343 million per annum by 2018-19.

Mr Campbell asked the Minister of Finance and Personnel what steps are being taken to ensure that specific companies are not referred to when tender documentation is prepared by the Central Procurement Directorate.
(AQW 36208/11-15)

Mr Hamilton: Central Procurement Directorate (CPD) prepares its tender documentation in accordance with the Public Contracts Regulations. The Regulations set out the rules which contracting authorities must follow when describing technical specifications. Contracting authorities are required to specify requirements in generic technical or performance terms. They must not incorporate technical specifications which refer to a specific company, material or goods of a specific make or source which has the effect of favouring or eliminating particular suppliers.

There can be exceptions to this obligation where the subject of the contract makes the use of such references indispensable, or the subject of the contract cannot otherwise be described by reference to technical specifications which are sufficiently precise and intelligible to all suppliers. However, where this exception applies, any such references in the technical specification must be accompanied by the words “or equivalent”.

Where technical specifications are prepared for departments by external consultants, CPD requires them to likewise comply with the Regulations. CPD has introduced a requirement that consultants must undertake robust quality assurance checks to verify that specific companies have not been named inappropriately, before CPD accepts documentation prepared by them for inclusion within tender competitions. Departmental Jobs

Mr Beggs asked the Minister of Finance and Personnel to detail the current number of jobs in each Department, broken down by (i) constituency; and (ii) each local government district.
(AQW 36221/11-15)

Mr Hamilton: The information requested, based on the most recent available data at 1 January 2014, is set out in the attached tables.

Table 1: NICS Headcount: Department by Constituency

Constituency	NICS Department														Total
	DARD	DCAL	DE	DETI	DFP	DEL	DHSSPS	DOE	DRD	DSD	OFMDFM	DOJ	PPS	Other	
Invalid Data	0	0	0	0	0	0	0	2	0	0	0	3	0	0	5
Missing Data	0	0	0	0	0	1	1	0	0	2	0	2	0	0	6
Belfast East	831	78	0	283	846	48	591	0	76	286	331	613	0	94	4077
Belfast North	34	1	0	0	73	74	0	172	39	446	0	76	0	20	935
Belfast South	82	165	4	170	1885	888	6	1048	660	3358	17	981	264	46	9574
Belfast West	0	0	0	0	0	94	0	0	0	1083	0	0	0	3	1180
East Antrim	19	0	0	0	0	64	0	31	12	40	0	215	0	0	381
East Londonderry	181	0	0	0	0	85	0	465	149	106	0	377	0	1	1364

Constituency	NICS Department														Total
	DARD	DCAL	DE	DETI	DFP	DEL	DHSSPS	DOE	DRD	DSD	OFMDFM	DOJ	PPS	Other	
Fermanagh and South Tyrone	323	11	0	0	1	100	0	80	141	142	0	55	0	0	853
Foyle	206	0	113	4	177	147	2	98	72	873	3	14	50	0	1759
Lagan Valley	111	0	0	0	34	55	0	256	55	59	0	1027	82	0	1679
Mid Ulster	211	0	0	0	0	58	0	35	25	100	0	0	0	0	429
Newry and Armagh	224	0	0	3	0	119	0	65	99	216	12	30	48	0	816
North Antrim	125	20	0	5	64	91	0	94	183	126	0	33	52	0	793
North Down	0	0	524	0	232	30	0	4	12	38	0	212	0	0	1052
Outside NI	2	0	0	0	0	0	0	0	21	0	4	0	0	0	27
South Antrim	290	0	0	0	0	41	0	34	95	83	0	12	0	0	555
South Down	67	9	0	0	0	44	0	105	177	64	0	13	0	0	479
Strangford	54	0	0	0	0	36	0	56	11	33	0	42	0	0	232
Upper Bann	97	10	0	0	88	126	0	125	182	155	0	44	0	0	827
West Tyrone	188	0	0	0	74	77	0	82	234	168	0	30	55	5	913
Total	3045	294	641	465	3474	2178	600	2752	2243	7378	367	3779	551	169	27936

Table 2: NICS Headcount: Department by District Council Area

District Council Area	NICS Department														Total
	DARD	DCAL	DE	DETI	DFP	DEL	DHSSPS	DOE	DRD	DSD	OFMDFM	DOJ	PPS	Other	
Missing Data	2	0	0	0	2	1	1	2	31	3	4	6	0	14	66
Antrim	234	0	0	0	0	41	0	0	24	83	0	12	0	0	394
Ards	54	0	0	0	0	26	0	56	13	20	0	101	0	0	270
Armagh	104	0	0	3	0	42	0	33	54	85	12	9	0	0	342
Ballymena	125	0	0	5	64	55	0	94	153	91	0	33	52	0	672
Ballymoney	0	10	0	0	0	36	0	0	30	35	0	0	0	0	111
Banbridge	0	0	0	0	0	39	0	0	19	44	0	19	0	0	121
Belfast	865	244	0	394	2802	1024	597	1215	595	5067	348	1383	264	149	14947
Carrickfergus	0	0	0	0	0	37	0	7	0	12	0	215	0	0	271
Castlereagh	82	0	4	59	0	35	0	5	180	47	0	287	0	0	699
Coleraine	172	0	0	0	0	46	0	458	133	89	0	10	0	1	909
Cookstown	173	0	0	0	0	19	0	35	25	14	0	0	0	0	266
Craigavon	97	10	0	0	88	87	0	125	182	111	0	25	0	0	725
Derry	205	0	113	4	177	147	2	98	72	873	3	14	50	0	1758
Down	64	9	0	0	0	40	0	105	158	64	0	13	0	0	453
Dungannon	87	0	0	0	0	48	0	13	59	73	0	17	0	0	297
Fermanagh	236	11	0	0	1	52	0	67	82	69	0	38	0	0	556
Larne	19	0	0	0	0	27	0	24	12	28	0	0	0	0	110
Limavady	10	0	0	0	0	39	0	7	16	17	0	367	0	0	456

District Council Area	NICS Department														Total
	DARD	DCAL	DE	DETI	DFP	DEL	DHSSPS	DOE	DRD	DSD	OFMDFM	DOJ	PPS	Other	
Lisburn	111	0	0	0	34	55	0	256	55	59	0	1027	82	0	1679
Magherafelt	38	0	0	0	0	39	0	0	0	86	0	0	0	0	163
Moyle	0	10	0	0	0	0	0	0	0	0	0	0	0	0	10
Newry & Mourne	123	0	0	0	0	91	0	32	45	144	0	21	48	0	504
Newtownabbey	56	0	0	0	0	45	0	34	61	58	0	0	0	0	254
North Down	0	0	524	0	232	30	0	4	10	38	0	152	0	0	990
Omagh	185	0	0	0	74	49	0	82	198	142	0	30	55	5	820
Strabane	3	0	0	0	0	28	0	0	36	26	0	0	0	0	93
Total	3045	294	641	465	3474	2178	600	2752	2243	7378	367	3779	551	169	27936

Notes:

Data is not held on the number of jobs in each Department. Data is presented by headcount (number of staff in post).

Excludes NICS staff on career break.

Data was sourced from HRConnect and additional DOJ databases as at 1st January 2014.

The local government districts (district council areas) presented precede Local Government Reform and are in line with the data source date.

The local government districts (district council areas) presented are those in which staff posts are located.

A small number of staff had invalid or missing constituency data (5 & 6, respectively); district council area data was missing for 62 staff.

'Other' denotes staff in the Health and Safety Executive for Northern Ireland, the Office of the Attorney General for Northern Ireland, staff of the

Assembly Ombudsman for Northern Ireland / The Northern Ireland Commissioner for Complaints, and the Historical Institutional Abuse Inquiry Team.

Ms Sugden asked the Minister of Finance and Personnel for an update on the recommendations his Department have made to the UK Government and NI Executive regarding the devolution of additional taxes and/or duties.
(AQW 36232/11-15)

Mr Hamilton: Officials are currently taking this work forward and the recommendations from this analysis should be put to Northern Ireland Executive and Government Ministers in the coming months.

Ms Sugden asked the Minister of Finance and Personnel to detail the number of small businesses which have qualified for the Small Business Rate Relief Scheme in East Londonderry, in each of the last four years.
(AQW 36234/11-15)

Mr Hamilton: Information on the number of small businesses that have qualified for the Small Business Rate Relief scheme in the East Londonderry Constituency is not available. However, since the scheme began in April 2010 the number of non-domestic properties that have benefitted in the Coleraine, Derry and Limavady District Council areas in each of the last four years is provided in the table below.

	Number of Non-Domestic Properties that Benefitted from SBRR each year			
	2011/12	2012/13	2013/14	2014/15*
Coleraine	688	947	980	996
Derry	853	1,320	1,386	1,372
Limavady	316	448	427	425

* 2014/15 figures as at 31st August 2014

Mr B McCrea asked the Minister of Finance and Personnel how much was allocated in the block grant from Westminster and how much was spent, broken down by Department, in each of the last five years.
(AQW 36235/11-15)

Mr Hamilton: The tables in Annex A detail HM Treasury control totals for Resource and Capital DEL and provide detail of outturn against Final Plan for each of the last five years. In interpreting this information, it should be noted that since 2011-12 the Budget Exchange Scheme has allowed the Executive to carry forward underspends up to an agreed cap of 0.6 per cent on Resource DEL and 1.5 per cent on Capital DEL. The Department of Justice is subject to separate end of year flexibility arrangements.

2009-10 Final Plan and Final Outturn *

	Resource		Capital	
£m	**Final Plan**	**Final Outturn**	**Final Plan**	**Final Outturn**
AOCC	1.7	1.6	0.0	0.0
DARD	241.7	269.2	18.9	17.4
DCAL	111.7	110.8	63.7	62.2
DE	1,854.8	1,835.2	242.3	242.1
DEL	774.2	768.3	41.6	41.5
DETI	211.9	210.3	69.8	69.1
DFP	218.5	211.0	35.5	34.4
DHSSPS	4,823.8	4,815.2	205.8	206.3
DOE	151.3	149.6	6.9	6.7
DOJ	-	-	-	-
DRD	426.7	421.6	556.2	555.5
DSD	590.1	581.9	217.4	215.5
FSA	9.3	9.1	0.1	0.0
NIA	49.9	47.3	1.0	0.4
NIAO	9.1	8.3	0.2	0.2
NIAUR	0.3	0.3	0.0	0.0
OFMDFM	71.9	71.8	7.8	7.1
PPS	-	-	-	-
Centre	-525.5	-522.0	-254.0	-254.0
Total NI Executive	**9,021.3**	**8,989.4**	**1,213.1**	**1,204.5**

* pre devolution of Policing and Justice

* tables may not add up due to roundings

2010-11 Final Plan and Final Outturn

	Resource		Capital	
£m	**Final Plan**	**Final Outturn**	**Final Plan**	**Final Outturn**
AOCC	1.8	1.8	0.0	0.0
DARD	248.4	241.5	20.6	17.4
DCAL	111.7	109.7	48.1	47.6
DE	1,927.7	1,910.2	188.2	186.8
DEL	885.4	854.6	41.3	41.4
DETI	207.9	203.4	59.3	58.4
DFP	206.1	203.4	19.5	19.3
DHSSPS	4,317.6	4,311.8	208.2	206.9

£m	Resource		Capital	
	Final Plan	Final Outturn	Final Plan	Final Outturn
DOE	145.1	143.7	11.8	11.6
DOJ	1,416.5	1,325.0	85.1	67.1
DRD	478.7	472.8	539.1	546.3
DSD	561.6	555.7	178.0	176.9
FSA	9.0	8.5	0.0	0.0
NIA	46.4	45.0	2.4	1.6
NIAO	8.7	8.2	0.2	0.2
NIAUR	0.1	0.1	0.0	0.0
OFMDFM	77.2	75.0	11.0	10.7
PPS	34.2	32.1	0.9	0.7
Centre	-563.5	-538.9	-204.5	-200.0
Total NI Executive	**10,120.6**	**9,963.6**	**1,209.3**	**1,193.0**

* tables may not add up due to roundings

2011-12 Final Plan and Final Outturn

£m	Resource		Capital	
	Final Plan	Final Outturn	Final Plan	Final Outturn
AOCC	1.9	1.9	0.1	0.1
DARD	210.0	207.3	20.2	18.0
DCAL	112.5	109.3	16.8	16.7
DE	1,920.5	1,909.1	114.8	113.1
DEL	880.1	878.4	41.2	41.1
DETI	188.0	180.7	242.7	242.4
DFP	183.9	181.2	20.9	20.7
DHSSPS	4,408.5	4,395.3	205.6	204.5
DOE	128.8	127.2	6.6	5.9
DOJ	1,308.6	1,286.3	99.3	75.6
DRD	456.9	456.0	465.8	465.6
DSD	505.6	500.8	173.5	172.5
FSA	8.6	8.2	0.0	-0.0
NIA	46.2	45.1	1.0	0.8
NIAO	8.7	8.0	0.3	0.2
NIAUR	0.1	0.1	-	-
OFMDFM	74.4	73.4	12.1	11.8
PPS	38.6	35.7	0.4	0.3
CENTRE	-502.5	-547.7	-390.3	-389.0
Total NI Executive	**9,979.3**	**9,856.2**	**1,031.0**	**1,000.4**

*tables may not add up due to roundings

2012-13 Final Plan and Final Outturn

£m	Resource		Capital	
	Final Plan	Final Outturn	Final Plan	Final Outturn
AOCC	1.7	1.7	0.0	0.0
DARD	220.3	218.8	22.3	22.7
DCAL	117.1	115.4	25.2	24.6
DE	1,900.5	1,888.6	108.2	107.6
DEL	1,013.2	1,010.9	16.9	15.9
DETI	185.1	199.2	29.4	26.6
DFP	181.4	179.9	17.1	16.9
DHSSPS	4,506.6	4,495.3	320.4	317.6
DOE	131.6	131.0	7.6	7.5
DOJ	1,278.4	1,248.0	79.4	65.1
DRD	489.2	486.6	380.3	379.0
DSD	469.9	464.5	130.6	128.8
FSA	8.2	8.0	0.0	0.0
NIA	43.7	42.5	2.3	1.3
NIAO	8.5	8.0	0.1	0.1
NIAUR	0.1	0.1	-	-
OFMDFM	77.8	77.0	5.6	5.6
PPS	36.0	35.2	0.7	0.4
Centre	-531.1	-575.1	-150.2	-150.9
Total NI Executive	**10,138.2**	**10,035.6**	**995.7**	**968.9**

*tables may not add up due to roundings

2013-14 Final Plan and Provisional Outturn

£m	Resource		Capital	
	Final Plan	Provisional Outturn	Final Plan	Provisional Outturn
AOCC	2.2	2.1	0.0	0.0
DARD	224.9	224.6	28.4	28.4
DCAL	122.3	121.7	30.9	30.3
DE	1,917.8	1,913.7	109.4	108.5
DEL	888.5	884.9	25.3	24.6
DETI	190.5	188.8	42.8	36.6
DFP	184.4	184.1	25.4	25.1
DHSSPS	4,634.3	4,646.1	261.5	251.3
DOE	130.5	129.9	6.2	6.0
DOJ	1,269.3	1,243.7	70.0	55.5
DRD	465.5	453.3	397.2	396.9
DSD	581.6	573.3	127.4	127.4
FSA	8.5	8.2	0.1	0.1
NIA	44.2	43.5	1.7	1.1

£m	Resource		Capital	
	Final Plan	Provisional Outturn	Final Plan	Provisional Outturn
NIAO	8.3	8.1	0.2	0.1
NIAUR	0.1	0.1	0.0	0.0
OFMDFM	85.2	84.5	34.7	34.2
PPS	36.1	35.7	0.5	0.5
Centre	-570.9	-585.2	-193.9	-195.9
Total NI Executive	**10,223.4**	**10,160.9**	**967.6**	**930.8**

* tables may not add up due to rounding

Mr McCallister asked the Minister of Finance and Personnel what analysis his Department has made concerning the impact on the local economy of the Scottish Executive setting a different rate of Corporation Tax to the rest of the UK as part of a potential devolution settlement.
(AQW 36283/11-15)

Mr Hamilton: My Department has not carried out any specific analysis in relation to this matter.

Mr Cree asked the Minister of Finance and Personnel to detail (i) the outstanding arrears payable on domestic properties in Belfast; and (ii) how many properties this effects.
(AQW 36310/11-15)

Mr Hamilton: At 31st March 2014, there was (i) a debt balance of £16,365,426 in Belfast District Council relating to (ii) 15,364 domestic properties.

Mr Cree asked the Minister of Finance and Personnel how many domestic properties in Belfast are currently regarded as empty and subject to the payment of rates; and of these, what percentage have been issued a rates bill.
(AQW 36313/11-15)

Mr Hamilton: Since the introduction of Rating of Empty Homes in October 2011, a vacant domestic property is treated the same as an occupied domestic property for rating purposes. There is no longer an onus or any financial advantage to a ratepayer to inform LPS that their property is vacant. Bearing this in mind, at the end of August 2014 a total of 4,043 vacant domestic properties in the Belfast City Council area had a rating assessment raised for 2014/15. At the end of August 2014, bills had been issued in respect of 80% of these properties.

Mr Cree asked the Minister of Finance and Personnel how many domestic properties in Belfast have (i) application-based; and (ii) automatic exclusions from the payment of rates.
(AQW 36314/11-15)

Mr Hamilton: Since the 1st October 2011 introduction of Rating of Empty Homes, rates are payable on all vacant property unless certain conditions exist. Rating of Empty Homes legislation allows for exclusion by application only, unless the empty property is owned by the company or persons that built it. As at 31 August 2014, (i) 1,947 vacant domestic properties had application-based exclusions and (ii) 1,716 vacant domestic properties had automatic exclusions. Exclusions are not applied to occupied properties.

Mr Cree asked the Minister of Finance and Personnel to detail the number of domestic properties in Belfast where ownership is unknown or unclear; and whether the details of such properties have been published.
(AQW 36315/11-15)

Mr Hamilton: As at 31st August 2014, in the Belfast District Council area, there were a total of 349 domestic properties with a rating liability where the ownership had not yet been established.

The details of these properties have not been published.

Mr Cree asked the Minister of Finance and Personnel to outline the arrangements for ensuring rates are collected on empty domestic properties; and how many court enforcement actions were undertaken last year in (a) Belfast; and (b) Northern Ireland.
(AQW 36316/11-15)

Mr Hamilton: Since the introduction of Rating of Empty Homes legislation in October 2011, rates are payable on all domestic properties, including properties that are vacant. Land & Property Services (LPS) will pursue the collection of rates for vacant properties through the normal rating cycle which can mean the pursuit of legal (Court) action to recover outstanding debt.

Where a ratepayer fails to pay their bill, LPS will issue a reminder notice requesting immediate payment. Ratepayers are urged to make contact to discuss their circumstances and agree payment arrangements if they are experiencing financial difficulties. If a payment or an arrangement is not made, LPS will issue a Court process. In 2013/14, a total of 3,229 Court processes were issued across Northern Ireland for vacant domestic properties. Of these, 648 were in the Belfast City Council area.

Where a ratepayer continues to refuse to make payment, the debt will be secured in Court. This allows the debt to be collected through the Enforcement of Judgements Office (EJO). In 2013/14, a total of 1,461 Decrees were awarded for vacant domestic properties across Northern Ireland. Of these, 386 were in the Belfast City Council area.

Mrs Hale asked the Minister of Finance and Personnel for an update on equal pay for PSNI and former Northern Ireland Office staff.
(AQW 36362/11-15)

Mr Hamilton: I refer you to my written answer provided in response to AQO 6661/11-15 on 23rd September, which provides an update relating to this issue.

Mr Agnew asked the Minister of Finance and Personnel (i) how much of the £500m which was budgeted for the A5 road was spent and to provide a breakdown of this expenditure; and (ii) how much of the £500m was reallocated and to provide details of where this money was reallocated.
(AQW 36380/11-15)

Mr Hamilton: During the first three years of the current Budget period, Capital DEL expenditure on the A5 road scheme was £15 million (2011-12), £16 million (2012-13) and £9.6 million (2013-14). The Minister for Regional Development would be better placed to provide a breakdown of this expenditure.

The table attached at Annex A details the changes in funding set aside for the A5 scheme during the course of the current Budget period. Details of all allocations are detailed in the Ministerial Statements to the Assembly following each relevant Budget exercise or monitoring round.

ANNEX A

A5 Road Scheme – Adjustments to Budget

Capital DEL (£ million)	**2011-12**	**2012-13**	**2013-14**	**2014-15**
Budget 2011-15 position	15.0	165.0	285.0	210.0
Reallocation to Coleraine – Londonderry rail scheme	-	(22.0)	-	-
Executive Budget exercise following the ROI decision to withdraw funding for the A5 scheme – Statement to the Assembly 14th February 2012	-	(68.0)	(165.0)	(95.0)
October Monitoring 2012-13 Pro reduction / Pro -reallocation	-	(11.0)	-	-
January Monitoring 2012-13 – Adjustment to RRI Borrowing to reflect slippage.	-	(45.0)	-	-
DRD - Technical Monitoring Round adjustments 2012-13	-	(2.3)	-	
Budget Realignment Exercise - DRD Internal Reallocations.	-	-	(2.0)	(1.0)
June Monitoring 2013-14 Reduced Requirement	-	-	(108.0)	-
Reversal of pro-reduction / pro-reallocation in 2012-13				11.0
June Monitoring 2014-15 Reduced Requirement	-	-	-	(119.5)
DRD - Technical Monitoring Round adjustments – June 2014-15				0.2
Final Plan	15.0	16.7	10.0	5.7
Final Outturn (2013-14 – Provisional Outturn)	15.0	16.0	9.6	n/a

Mr Campbell asked the Minister of Finance and Personnel to detail the current number of vacant domestic properties, where an owner has not been traced for the purposes of the payment of rates.
(AQW 36411/11-15)

Mr Hamilton: As at 31st August 2014, there were 2,637 vacant domestic properties with a rating liability where ownership had not been established for the purposes of the payment of rates.

Mr McKay asked the Minister of Finance and Personnel how much Annually Managed Expenditure is taken up by Pension Credit.
(AQW 36446/11-15)

Mr Hamilton: Provisional Outturn reported expenditure on Pension Credit in 2013-14 of £320 million. The 2014-15 Annually Managed Expenditure opening budget provision for Pension Credit is £314.3 million.

Mr McKay asked the Minister of Finance and Personnel how much Annually Managed Expenditure is taken up by Working Tax Credit.
(AQW 36447/11-15)

Mr Hamilton: HM Revenue & Customs (HMRC) administers the Working Tax Credit for Northern Ireland and the spend is not included in the NI Annually Managed Expenditure figurework. The Working Tax Credit, along with some other tax credits, is paid by HMRC directly to eligible NI claimants. This expenditure is in addition to the DEL and AME budget allocation to Northern Ireland.

Mr Allister asked the Minister of Finance and Personnel whether, since coming to office, he has issued any 'ministerial directions'; and if so, to detail (i) when; and (ii) in respect of what subject matters.
(AQW 36462/11-15)

Mr Hamilton: I have not issued any ministerial directions.

Mr B McCrea asked the Minister of Finance and Personnel to detail the amount of capital spend returned by each Department in the last year.
(AQW 36557/11-15)

Mr Hamilton: Through the in-year monitoring process departments declared capital reduced requirements of £181.6 million in 2013-14 and £224.0 million to date in 2014-15. The departmental breakdown of this is detailed in the attached table.

It should be noted that not all reduced requirements relate to capital spend returned. Reduced requirements are also declared when additional EU income is recognised or additional asset disposals are recorded.

The in-year monitoring process provides a formal system for reviewing spending plans and priorities for each financial year in light of the most up to date position. It provides the Executive with an opportunity to re-direct any surplus resources to other priorities. This includes any reduced requirements surrendered by departments.

Full details of reduced requirements and allocations are detailed in my Statement to the Assembly that follow each monitoring round.

Departmental Capital Reduced Requirements

Department	£m 2013-14	 2014-15
DARD	-1.3	-8.9
DCAL	-9.5	-35.3
DE	-2.7	-
DEL	-1.3	-
DETI	-5.4	-9.5
DFP	-1.5	-
DHSSPS	-7.0	-15.3
DOE	-	-2.0
DOJ	-	-10.0
DRD	-138.5	-137.5
DSD	-9.4	-
NIA	-0.7	-
NIAO	-0.1	-
NIAUR	0.0	-
OFMDFM	-4.1	-5.5
Total	**-181.6**	**-224.0**

* Totals may not add due to roundings

Department of Health, Social Services and Public Safety

Mr Agnew asked the Minister of Health, Social Services and Public Safety whether there has been an assessment made of the additional cost pressures that will be created through the implementation of Welfare Reform.
(AQW 35493/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): My Department has engaged with officials in the Department for Social Development to assess the financial implications for passported benefits under Universal Credit. Indications are that this would be broadly cost neutral. In line with normal budgetary planning processes my officials will continue to liaise with their counterparts in the Department for Social Development and other Departments as appropriate to consider any potential budgetary pressures.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail the income received from private consultations, operations and procedures, in the last three years.
(AQW 35798/11-15)

Mr Poots: Income received from Private Patients as recorded in HSC Trust financial accounts, in each of the last three years, is set in the table below.

	2013/14 £'000	2012/13 £'000	2011/12 £'000
Total	**4,883**	**5,308**	**4,956**

Mr McElduff asked the Minister of Health, Social Services and Public Safety to detail (i) the barriers faced in recruiting carers in West Tyrone; and (ii) the measures being taken by his Department to overcome these barriers, particularly in the Omagh and Strabane districts.
(AQW 35857/11-15)

Mr Poots: Homecare services in West Tyrone are delivered via its in-house service and six independent sector homecare provider agencies.

1. The Western Health and Social Care Trust has advised that the in-house domiciliary care service currently has no unfilled vacancies. In accordance with the objectives of Transforming Your Care, the Western Trust continues to progress the reform of its in-house homecare service to ensure optimum homecare capacity is available.

   With six independent sector homecare providers operating in West Tyrone, the locality has a relatively high concentration of providers.

2. Recruitment issues are a matter for individual Health and Social Care Trusts. At present demand for homecare services exceeds the Western Trust's funded budget. This is the position across Northern Ireland not just in Tyrone. In such circumstances there will always be individual cases which will present a challenge in meeting the level of assessed need within the resources available. The Trust is in discussions with the Local Commissioning Group to explore how this demographic growth pressure might be addressed through the targeting of additional investment.

Dr McDonnell asked the Minister of Health, Social Services and Public Safety to detail the average cost per mobilisation for the Northern Ireland Fire and Rescue Service in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; and (iv) 2013/14.
(AQW 35858/11-15)

Mr Poots: The average cost per mobilisation for the Northern Ireland Fire and Rescue Service over the last four years is set out in the table below.

Year	Cost of Mobilisation
10/11	£2,521
11/12	£2,797
12/13	£3,060
13/14	£3,102

Dr McDonnell asked the Minister of Health, Social Services and Public Safety how many Northern Ireland Fire and Rescue Service call-outs were due to unwanted fire signals in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; and (iv) 2013/14.
(AQW 35859/11-15)

Mr Poots: The number of mobilisations to unwanted fire signals by the Northern Ireland Fire and Rescue over the last four years is set out in the table below.

Year	Unwanted Fire Signals
10/11	6,868
11/12	7,846
12/13	8,265
13/14	7,699

Dr McDonnell asked the Minister of Health, Social Services and Public Safety how much money has been recouped from owners of properties that repeatedly mobilise the Northern Ireland Fire and Rescue Service for unwanted fire signals in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; (iv) 2013/14.
(AQW 35860/11-15)

Mr Poots: The Northern Ireland Fire and Rescue Service do not recoup the costs of responding to repeat unwanted fire signals.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 35028/11-15, why the information on the General Practitioner Prescription List is not available in light of the answer provided to AQW 2379/10.
(AQW 35870/11-15)

Mr Poots: A General Practitioner can prescribe any licensed drug to a patient as long as it is not included in Schedule 1 of the Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc) Regulations (Northern Ireland) 2004 – commonly known as the "prohibited list". This list has not been amended since the Regulations were made in 2004.

The answer to AQ 2379/10 was based on the regional system in place for the prescribing of specialist medicines in Northern Ireland. The prescribing of these medicines is determined by a red and amber 'traffic light' system. Drugs considered more appropriate to be prescribed by a hospital consultant are maintained on a 'red' list. Where patient care is shared between hospital consultants and GPs, the drugs are maintained on an 'amber' list. The list is advisory, and does not enforce boundaries as to who can actually prescribe particular medicines.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of (i) the payment of supplier invoices by Health and Social Care Trusts; (ii) the current backlog of unprocessed invoices; and (iii) the consequences of the current backlog to patients and future relations between suppliers and Trusts.
(AQW 35871/11-15)

Mr Poots:

1. The average time taken by each Health and Social Care Trust between being invoiced by a supplier and making a payment to the supplier is shown in the table below.

	Average days taken in 2014/15 (to end of August) by Trust to pay invoice
Belfast	22.8
South Eastern	22.0
Northern	18.8
Western	23.4
Southern	13.0
NI Ambulance Service	23.2

2. The current backlog of unpaid invoices is shown in the table below, with a comparison with the backlog as at 30 April 2014:

HSC Trust	Invoice Backlog inherited by BSO	
	Volume of Invoices at 30 April 2014	Volume of invoices at 15 September 2014.
Belfast	14,767	1,958
Northern	4,490	438
Western	5,649	783
Ambulance Service	864	147

HSC Trust	Invoice Backlog inherited by BSO	
	Volume of Invoices at 30 April 2014	Volume of invoices at 15 September 2014.
Total	**25,770**	**3,326**

The responsibility for the payment of Southern and South Eastern invoices has only recently transitioned to the BSO Accounts Payable Shared Service Centre. Southern and South Eastern invoices were not part of the original backlog as at 30 April 2014 and are not therefore included in the table for comparative purposes.

3. The BSO and HSC trusts are working closely with suppliers to minimise the impact of these issues for suppliers and patients. This has included the establishment of a dedicated Backlog Team to deal with unpaid invoices.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the average time taken by each Health and Social Care Trust between being invoiced by a supplier and the supplier receiving payment.
(AQW 35872/11-15)

Mr Poots: The average time taken by each Health and Social Care Trust between being invoiced by a supplier and making a payment to the supplier is shown in the table below.

	Average days taken in 2014/15 (to end of August) by Trust to pay invoice
Belfast	22.8
South Eastern	22.0
Northern	18.8
Western	23.4
Southern	13.0
NI Ambulance Service	23.2

Mr Dallat asked the Minister of Health, Social Services and Public Safety when the Northern Ireland Fire and Rescue Service will publish and implement the job evaluation for manual technicians.
(AQW 35905/11-15)

Mr Poots: NIFRS expect the Job Evaluations for Manual Technicians to be completed in early 2015. A decision on timetable for publication and implementation will be taken thereafter.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety to outline the reasons why the Stroke Implementation Management System is not yet being employed to support service development, research and audit, despite the recommendation published in his Department's report, 'Improving Stroke Services in Northern Ireland (2008)', that it would be in use by 31 March 2010.
(AQW 35919/11-15)

Mr Poots: The implementation plan for the recommendations from the Stroke Strategy stipulated that the development of a business case for a stroke information system would follow agreement of a model for thrombolysis and re-organisation of Stroke Services. The system has now been piloted in the Southern Health and Social Care (HSC) Trust. Following successful evaluation of the pilot, the system is now ready for regional implementation. Stroke co-ordinators will be working within HSC Trusts to ensure implementation and update within the next twelve months.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety to detail (i) the actions he intends to take to increase the percentage of stroke patients who are admitted directly to a Stroke Unit from the current figure of 40 per cent provided by the Stroke Association to the 100 per cent target which, according to his Department's report, 'Improving Stroke Services in Northern Ireland (2008)', should have been achieved by 31 March 2012; and (ii) his assessment of the impact the diversion of stroke patients directly to Stroke Units would have in terms of alleviating the documented pressures on Emergency Departments.
(AQW 35920/11-15)

Mr Poots: The challenging public expenditure climate since the publication of the Stroke Strategy has led to a reduction in resources for the implementation of its
14 recommendations. This has resulted in delay in implementation of the full strategy including Recommendation 5 which focussed on admission of patients to stroke beds. In order to make further progress, this issue has been reflected in my Department's Cardiovascular Service Framework which has set a key performance indicator (KPI) to ensure that, by March 2015, 80% of acute stroke admissions will be admitted to a Stroke Unit, rising to 90% by March 2017.

Performance against this indicator will be monitored by the Health and Social Care Board and the Public Health Agency. Currently 45% of emergency admissions for stroke were admitted to Stroke Units as their ward of first admission. Not all patients can be admitted directly to a Stroke Unit; some patients need to be admitted to Intensive Care Units, High Dependency Units and Coronary Care Units for stabilisation.

Approximately 2,700 emergency admissions to hospital are linked to Stroke. Early assessment and diagnosis, including appropriate brain imaging and assessment by the stroke team, is carried out in the Emergency Department. Initial assessment of patients in the Emergency Department will continue but this will be kept under review, particularly as efforts are made to increase the proportion of patients who are admitted to stroke units as the ward of first assessment. It is anticipated this could result in a positive impact on Emergency Department pressures.

Ms Sugden asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to (i) increase the number of families choosing to foster children; and (ii) to make the process from application to attainment as efficient as possible.
(AQW 35947/11-15)

Mr Poots:

(i) Recruitment of foster carers is a continual activity and is based on the ability of prospective foster carers to match and build a relationship with the children and young people who require foster care. At the end of June 2014 there were 2146 foster carers in Northern Ireland. The Regional Adoption and Fostering Service (RAFS) supports local Health and Social Care (HSC) Trusts, in the recruitment, assessment and training of foster carers, maintains an overview of the overall fostering position and undertakes recruitment drives as required. In addition, Fostering Network (NI), on behalf of the Health and Social Care Board (HSCB), provides a dedicated helpline for foster carers and runs annual recruitment campaigns. The British Association for Adoption and Fostering (BAAF) also receives funding from the HSCB to provide advice, consultancy services and training for prospective foster carers and professionals in Northern Ireland. Furthermore, under Transforming Your Care, additional funding has been made available to put in place professional foster care schemes for the most difficult to place children.

(ii) Currently the HSCB and HSC Trusts are reviewing fostering services which will identify areas of need and enable better targeting of recruitment. This has the potential to reduce the time spent on processing applications in respect of potential foster carers. Currently, the expected timeframe for the completion of assessments is between 4 and 6 months. Also, my Department is currently finalising new Fostering Regulations which, among other things, will enable independent fostering agencies to assess their own foster parents, without requiring a further assessment by a Health and Social Care Trust, as is currently the case. This will shorten the process for those who apply to become foster carers through independent fostering agencies. The new Regulations will also bring fostering agencies within the scope of inspection and regulation by the Regulation and Quality Improvement Authority.

Mr Allister asked the Minister of Health, Social Services and Public Safety to outline the commissioning arrangements and associated costs for Health and Social Care Trusts to utilise private healthcare firms when Trusts have not reached contracted volumes.
(AQW 35995/11-15)

Mr Poots: Commissioning health and social care services is the responsibility of the Health and Social Care Board. The Board has advised that it does not fund Health and Social Care (HSC) Trusts to utilise private healthcare firms when Trusts have not reached contracted volumes.

However, each year the Board agrees with each HSC Trust what additional action is needed in those specialties or service areas where a Trust's contracted capacity is not sufficient to ensure that elective access targets are met. This additional action normally represents proposals to secure additional activity which can be delivered either through extra sessions within the Trust, or through the transfer of patients to purchased capacity within the Independent Sector (IS).

In securing additional IS capacity, HSC Trusts are free to seek tenders and award contracts consistent with good procurement practice. To facilitate Trusts in securing IS capacity, the Board has established an IS Procurement Framework. I am advised by the Board that in 2013/14, the cost of procurement of elective care services from the IS was £66.9 million.

Mr Lyttle asked the Minister of Health, Social Services and Public Safety what departmental services he has made available to public via the post office network.
(AQW 36020/11-15)

Mr Poots: The Department does not currently utilise post offices for the delivery of any health or social care services.

Mr Campbell asked the Minister of Health, Social Services and Public Safety to detail the estimated change in the number of people diagnosed with dementia between 2003 and 2013.
(AQW 36026/11-15)

Mr Poots: The information requested is available for the period from 2006 to 2013, and is set out in the table below.

The information is drawn from the dementia register which was introduced in 2006/07 as part of the Quality and Outcomes Framework, when dementia was included as an area within the clinical domain.

Dementia Prevalence per 1,000 GP List Population

Year	Number on Dementia Register	List Size at January each year	Prevalence per 1,000 List Population
2004/05	No Dementia Register	1,796,033	N/A
2005/06	No Dementia Register	1,796,977	N/A
2006/07	9,550	1,814,308	5.26
2007/08	9,751	1,833,450	5.32
2008/09	9,971	1,852,027	5.38
2009/10	10,637	1,863,701	5.71
2010/11	11,246	1,882,678	5.97
2011/12	11,882	1,898,099	6.26
2012/13	12,278	1,909,338	6.43
2013/14	12,811	1,921,215	6.67

Mr Hussey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33808/11-15, to detail (i) the date that the Northern Ireland Fire and Rescue Service (NIFRS) will conduct the employee engagement survey designed to measure the level of job satisfaction and morale, given the NIFRS corporate business plan 2014/15 commits the organisation to completing this by December 2014; and (ii) whether staff in the Lisburn Headquarters will be included; and (iii) whether staff in service Headquarters will be provided with the survey results; and if so, when he expects the results to be published.
(AQW 36028/11-15)

Mr Poots: The Northern Ireland Fire and Rescue Service (NIFRS), in response to the financial challenges it faces in 2014/15, has decided to postpone the Employee Engagement Survey until 2015/16. No definitive timescales for the Survey have been agreed.

Mr Storey asked the Minister of Health, Social Services and Public Safety whether the required ratio of carers to dependants is being fulfilled in private care homes in North Antrim.
(AQW 36031/11-15)

Mr Poots: All nursing and residential care homes in both the statutory and private sectors are required to operate in compliance with minimum standards.

These standards require that at all times there must be enough staff with the appropriate skills to meet the assessed needs of the residents – taking into account the size and layout of the home, as well as the Statement of Purpose and fire safety requirements.

The Regulation and Quality Improvement Authority (RQIA) is responsible for the registration and inspection of nursing and residential care homes. RQIA provides guidance to registered homes on the minimum staffing levels they should maintain and, through inspection, ensures compliance with these levels.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety whether he is aware of the work of Cloud Medical Imaging and their ability to centralise radiology images; and for his assessment of whether such a system could deliver benefits to the Health Service.
(AQW 36038/11-15)

Mr Poots: Northern Ireland has a central integrated system for accessing, storing and sharing imaging data, known as NIPACS. Cloud medical imaging is a new technology which uses wifi for access It is likely that my Department's regional imaging review currently under way will investigate new systems and make recommendations, where necessary as to whether such systems could deliver benefits to the Health Service. However in the short term it is unlikely cloud medical imaging will be used within the current NIPACS contract.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the (i) procurement; and (ii) ongoing contractual costs in relation to Picture Archiving and Communication Systems, in each of the last three years.
(AQW 36039/11-15)

Mr Poots: NIPACS is a managed service regional revenue contract. The contract was procured by DHSSPS through competitive dialogue viz OJEU. There was no capital investment in the project. Three vendors received an invitation to participate and this was followed by a Trial and Final Best and Final Offer (BAFO).

The contract was awarded to Sectra Limited on 30th September 2008 for a ten year term and the option to extend for the following periods:

a. for up to 4 years (Prime Extension Period); and

b. by no more than 2 consecutive 6 month periods for a total of 12 months (Secondary Extension Period).

The ongoing contractual costs of the NIPACS contract are as follows:

Year	11/12*	12/13*	13/14*
Revenue costs £	2,465,250	3,157,501	3,270,558

Note: *Actual revenue payments including service penalty deductions

In addition to the regional NIPACS picture archiving service the Royal Victoria Hospital and Belfast City Hospital have legacy PACS systems which are both part of much larger separate PFI contracts on each site. It is not possible to provide the individual breakdown of the PACS components of the PFI Unity Charge.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what procurement procedures are in place in relation to Picture Archiving and Communication Systems across radiology imagery devices.
(AQW 36040/11-15)

Mr Poots: The procurement for Northern Ireland Picture Archiving and Communication Systems (PACS) was completed and a contract awarded in September 2008 for a minimum period of 10 years. This contract makes provision for extension of services up to 2022, and in that context, a procurement process is not currently required.

In addition to this, the Royal Victoria Hospital and Belfast City Hospital also have PACS systems which are part of separate PFI contracts between the Belfast Trust and the PFI suppliers. Renewal and replacement of the PACS is part of the overall contract in each case and these are due to expire in 2022 (RVH) and 2031 (BCH).

Mr Easton asked the Minister of Health, Social Services and Public Safety how many firefighters are stationed at Bangor Fire Station.
(AQW 36072/11-15)

Mr Poots: 43 fire fighting staff stationed at Bangor Fire Station, as follows:

Wholetime Firefighter	
Watch Commander	4
Crew Commander	4
Firefighter	23
Total	**31**

Retained Firefighter	
Watch Commander	1
Crew Commander	2
Firefighter	9
Total	**12**

Mr Easton asked the Minister of Health, Social Services and Public Safety how many firefighters are stationed at Holywood Fire Station.
(AQW 36073/11-15)

Mr Poots: 20 fire fighting staff are stationed at Holywood Fire Station, as follows:

Retained Firefighter	
Watch Commander	1
Crew Commander	4
Firefighter	15
Total	**20**

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 34544/11-15, to provide a monthly breakdown of the number of renal transplant recipients who have been repatriated from Belfast to other units since April 2012.
(AQW 36082/11-15)

Mr Poots: Information on the number of renal transplant recipients repatriated from Belfast Trust broken down by month is not available.

Following a manual exercise carried out by Belfast HSC Trust, it was identified that there were 101 renal transplant recipients repatriated from the Belfast City Hospital transplant unit to sub-regional units between April 2012 and March 2014. These repatriations took place consistently over time, averaging one patient per week.

In order to provide the monthly breakdown, it would be necessary to carry out a further manual trawl of all patient notes. At present, resources are not available to undertake this activity.

Mr Allister asked the Minister of Health, Social Services and Public Safety to detail the types of cancers that the Health Service can and cannot treat with Intensity Modulated Radio Therapy and Stereotactic Body Radio Therapy.
(AQW 36090/11-15)

Mr Poots: The decision whether to use IMRT (intensity modulated radiotherapy), stereotactic body radiotherapy (SBRT) or more conventional conformal treatment is a clinical decision. It is determined by a consultant oncologist on the basis of which treatment plan is most suitable for any individual patient, taking account of specific disease and anatomical factors.

IMRT is used routinely for radical treatment of head and neck cancers, lung cancers and prostate cancers. Other cancers (e.g. lower or upper gastrointestinal, gynaecological cancers) can also be treated using IMRT in cases where a clinician determines this would be clinically more beneficial than conventional conformal treatment.

Clinicians use SBRT, also known as stereotactic ablative radiotherapy (SABR), to treat small, well defined tumours that are deep within the body. They are most likely to use it for tumours in the lung, liver or pancreas. IMRT and SBRT are used to treat patients at the Belfast Cancer Centre.

Mr Frew asked the Minister of Health, Social Services and Public Safety what timescale has been set to incorporate the projects outlined for the Integrated Care Partnership.
(AQW 36114/11-15)

Mr Poots: The Health and Social Care Board (HSCB) is responsible for the overall coordination of Integrated Care Partnership (ICPs) implementation. The ICPs have put in place structures and processes to review current care provision against the commissioning specifications for each of the ICP priority areas with a view to identifying opportunities to address gaps in service provision and to improve care pathway integration.

Most ICPs submitted proposals to their Local Commissioning Group (LCGs) by the end of July 2014 and discussions have subsequently been ongoing between ICP leads and the LCGs to address implementation / service delivery issues. In some areas, discussions continue with LCGs to reach final agreement on the content of the ICP proposals.

ICPs continue to work to ensure that proposals can be implemented as soon as possible so that service users and carers will experience the benefits of enhanced integrated care. Decisions in respect of the current financial position will impact on the timescale for full implementation

Mr Frew asked the Minister of Health, Social Services and Public Safety what plans are in place to make the Diabetes Education and Self Management for Ongoing and Newly Diagnosed (DESMOND) Structured Education Programme available in the Northern Health and Social Care Trust area for people who have Type 2 Diabetes.
(AQW 36116/11-15)

Mr Poots: Within the Northern Health and Social Care Trust, some Practice Nurses and Diabetic Specialist Nurses currently provide education for patients with Type 2 diabetes. The Diabetic Specialist Nursing resource is limited and therefore patient education is based on clinical need. In order to provide a wider self management approach in line with Transforming Your Care, Trust staff have worked in partnership with the Northern Diabetes Integrated Care Partnership to develop a revenue business case that would support the establishment of a sustainable internationally recognised model of structured education programme for patients with Type 2 diabetes - Diabetes Education and Self Management for Ongoing and Newly Diagnosed (DESMOND). A decision regarding the delivery of a patient education programme for people with Type 2 diabetes within the Northern HSC Trust area has not yet been determined as discussion is ongoing about the potential to adopt a regional uniform approach to procuring structured patient education programmes for people with Type 2 diabetes across Northern Ireland.

Mrs Overend asked the Minister of Health, Social Services and Public Safety to detail the number of people living with (i) type 1; and (ii) type 2 diabetes, broken down by Health and Social Care Trust, in each of the last five years.
(AQW 36130/11-15)

Mr Poots: Under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP-registered patients aged 17 and over diagnosed with diabetes mellitus is recorded. Though practices record 'type' of diabetes within their systems, the data download available to DHSSPS does not specify this diagnosis. The number of patients, aged 17 and over, on the QOF diabetes register in each Trust area is shown in table 1 below.

Please note that the figures are based on the GP practices located within each Trust area according to practice post code, and that patients may not reside in the same trust area. From 2011/12 practices 473 and 475 and have been included in Southern Trust as this is where they have traditionally been managed, though their postcode would otherwise place them in South Eastern Trust area.

Register sizes are taken from the Payment Calculation and Analysis System (PCAS) as at National Prevalence Day, 31 March each year.

Care should be taken when looking at trends in prevalence over time, as year-on-year changes in the size of QOF registers can be influenced by various factors including: changes in prevalence of the condition within the population; demographic changes, such as an ageing population; and improvements in case finding by practices.

Table 1: Patients on Diabetes Mellitus register in GP practices located in Trust area

Year1	2013/14	2012/13	2011/12	2010/11	2009/10
Belfast	18,307	17,803	17,216	16,549	15,935
Northern	20,838	19,828	18,906	18,034	17,008
South Eastern	14,059	13,646	13,058	12,886	12,134
Southern	15,263	14,627	13,995	13,043	12,336
Western	13,400	13,168	12,662	12,181	11,567
Total:	**81,867**	**79,072**	**75,837**	**72,693**	**68,980**

1 Data relates to patients on register at March 31 (for example, for 2013/14 all those on register at March 31 2014)

Source: Quality and Outcomes Framework Data - PCAS

Mrs Overend asked the Minister of Health, Social Services and Public Safety why there is not a diabetes education programme in place in the Northern Health and Social Care Trust.
(AQW 36131/11-15)

Mr Poots: In 2013 as part of developing an expert patient model, the Northern Health and Social Care Trust Diabetes Service introduced an internationally recognised structured education programme for adults with Type 1 diabetes – Dose Adjustment for Normal Eating (DAFNE). This intensive programme enables people with Type 1 diabetes to optimally manage their diabetes giving individuals an in-depth understanding of the relationship between individual food intake, physical activity and insulin adjustments.

Within the Northern Health and Social Care Trust, some Practice Nurses and Diabetic Specialist Nurses currently provide education for patients with Type 2 diabetes. The Diabetic Specialist Nursing resource is limited and therefore patient education is based on clinical need. In order to provide a wider self management approach in line with Transforming Your Care, Trust staff have worked in partnership with the Northern Diabetes Integrated Care Partnership to develop a revenue business case that would support the establishment of a sustainable internationally recognised model of structured education programme for patients with Type 2 diabetes - Diabetes Education and Self Management for Ongoing and Newly Diagnosed (DESMOND). A decision regarding the delivery of a patient education programme for people with Type 2 diabetes within the Northern HSC Trust area has not yet been determined as discussion is ongoing about the potential to adopt a regional uniform approach to procuring structured patient education programmes for people with Type 2 diabetes across Northern Ireland.

Mrs Overend asked the Minister of Health, Social Services and Public Safety how Antrim Area Hospital responds to patients arriving by ambulance who have suffered a stroke
(AQW 36133/11-15)

Mr Poots: Patients brought to the Emergency Department by ambulance are assessed by Northern Ireland Ambulance Service paramedics using the FAST assessment tool. The Emergency Department are pre alerted about FAST positive patients who in turn alert the stroke team.

For all patients assessed as ROSIER (Recognition of Stroke in the Emergency Room) and FAST positive and with a known time of onset of symptoms of less than four hours, consideration is given to the potential suitability for thrombolysis treatment with alteplase. This is the administration of a clot busting drug which breaks down and disperses a blood clot in the brain. It is considered a suitable treatment for approximately 15% of presenting strokes and is licenced to be delivered within 4.5 hours of onset of symptoms but most effective if delivered early after symptom onset.

Mrs Overend asked the Minister of Health, Social Services and Public Safety whether he will introduce Atrial Fibrillation checks during the next flu vaccination programme.
(AQW 36134/11-15)

Mr Poots: I welcome the innovative proposal put forward by healthcare professionals to include a targeted, opportunistic, assessment programme for Atrial Fibrillation for those most at risk, alongside the annual flu vaccination programme.

Any decisions to take forward this opportunity will be informed by the current financial position

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 35570/11-15, to detail the instances that patients from each Health and Social Care Trust have been referred to a service outside this jurisdiction, broken down by service or treatment.
(AQW 36169/11-15)

Mr Poots: Given the low number of Extra Contractual Referrals (ECRs) made for mental health or addiction services, only limited information can be provided in each instance for data protection reasons as individuals or their treatment plan could potentially be identified.

In 2013/14, the HSCB received 24 ECR requests for mental health or addiction services in total from the five HSC Trusts. The HSCB approved 21 of these ECR requests; these were for Child and Adolescent Mental Health Services, Eating Disorder, Obsessive–compulsive disorder (OCD), Mental Health & Deafness, Mental Health Assessment, Acquired Brain Injury, Personality Disorder & Eating Disorder, Personality & Eating Disorder & Alcohol Dependence Syndrome.

To ensure total anonymity it is not possible to provide further breakdown on these figures.

Mr Frew asked the Minister of Health, Social Services and Public Safety what monitoring is in place to ensure that the Northern Health and Social Care Trust engages with Integrated Care Partnerships.
(AQW 36170/11-15)

Mr Poots: Membership of the Integrated Care Partnerships (ICPs) in the Northern Local Commissioning Group (LCG) area includes Northern Health and Social Care Trust (NHSCT) clinicians, local GPs and other local health and social care providers.

The Health and Social Care Board (HSCB), which is responsible for the overall coordination of Integrated Care Partnership (ICPs) implementation, has put in place a Memorandum of Understanding (MoU) governing the interaction between all ICP members. The MoU requires that participating organisations are fully committed to working with the agreed care pathways developed by the ICPs – as endorsed by the LCG.

The HSCB currently monitors the implementation of all ICPs, including those in the Northern Local Commissioning Group area, through a Regional ICP Implementation Project Board.

Mr Frew asked the Minister of Health, Social Services and Public Safety what work is being completed to ensure the roll out of the Frail Elderly Pathway which incorporates (i) nursing home in reach project; (ii) dementia shared care; and (iii) nursing home proactive ward round.
(AQW 36171/11-15)

Mr Poots: The Local Commissioning Group in the Northern Health and Social Care Trust is working locally with the Northern Integrated Care Partnerships (ICPs) to develop these services.

In addition, ICPs across Northern Ireland continue to work to ensure that service improvement proposals can be implemented as soon as possible so that service users and carers will experience the benefits of enhanced integrated care. Decisions in respect of the current financial position will impact on the timescale for full implementation

Mr Frew asked the Minister of Health, Social Services and Public Safety what work is being conducted to ensure that Atrial Fibrillation screening checks, that could detect potential strokes victims, are performed with other routine procedures in the Northern Health and Social Care Trust area.
(AQW 36174/11-15)

Mr Poots: The UK National Screening Committee (UK NSC) reviewed the screening of people aged over 65 in July 2014 for atrial fibrillation. It found that it is not clear that those identified as at risk through screening would benefit from early diagnosis. The NSC advice is that a systematic population screening programme for atrial fibrillation is not recommended.

NICE Clinical Guideline (CG180) on the management of atrial fibrillation states that whilst general population screening is beyond its scope, it recommends targeted/ opportunistic screening of symptomatic patients, or those with risk factors which may allow identification of AF patients.

The general position across Health and Social Care Trusts is that subject to available resources, the flu vaccination programme is currently being considered as providing an opportunity to carry out a targeted screening of those aged over 65 for atrial fibrillation.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety what percentage of research and development expenditure is spent on life sciences; and how does this compares to (i) England; (ii) Scotland; and (iii) Wales; and if the percentage is lower than in other UK regions, what steps his Department is taking to address this.
(AQW 36178/11-15)

Mr Poots: The HSC R&D Division of the Public Health Agency advises that 100% of the research and development expenditure that it allocates on behalf of the Department is spent on life sciences, covering all aspects of health and social care research.

The table attached summarises the level of funding provided by my Department for life sciences research, in each of the last ten years.

Financial year	DHSSPS allocation (£)
2005/06	12,730,000
2006/07	12,104,000
2007/08	12,206,000
2008/09	13,324,000
2009/10	12,452,000
2010/11	11,276,000
2011/12	10,189,416
2012/13	10,386,000
2013/14	11,749,000
2014/15	13,402,804

The comparable annual Research & Development budget figures from Health Departments are as follows: for England (£1.1bn); Scotland (£69m); & Wales (£43m). However, due to organisational differences across the UK countries, direct comparisons are extremely difficult.

Following a report in 2012, commissioned by my Department to evaluate the impact of HSC R&D funding, the Minister at that time decided to provide additional investment in R&D with Northern Ireland contributing to the National Institute for Health Research Evaluation Trials and Studies Co-ordinating Centre in England. This has allowed local researchers to bid for a collective funding pot of £100m annually and with a predicted £4.14 return on every £1 invested from the HSC R&D fund there has been a significant return on investment after the first year of Northern Ireland contributing to this NIHR fund.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety for an update on the digitalisation of hospital scans, and the steps being taken to move away from the old Portable Document Format (PDF) system.
(AQW 36179/11-15)

Mr Poots: Since 2009 all hospital scans undertaken in the HSC in Northern Ireland have been stored and shared electronically. I am advised that such scans have never been stored using the portable document format (PDF).

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety how many 'public health' funerals have taken place, broken down by (i) Health and Social Care Trust area; and (ii) average cost.
(AQW 36180/11-15)

Mr Wells: The information requested is not held centrally.

Mr Girvan asked the Minister of Health, Social Services and Public Safety to detail the frequency of respite available to adults with severe learning difficulties in Hollybank, Magherafelt; and what criteria is used to assess need.
(AQW 36181/11-15)

Mr Poots: The frequency of respite services available to adults with severe learning difficulties in Hollybank Respite Unit is dependent on the individually assessed needs of the carer and may change according to need and availability. Respite is planned 6 months in advance and allocations are made bi-annually.

Carers' assessments are carried out to give an indication of the requirements for respite and potential service users of Hollybank need to meet the criteria for residential care.

Mr Frew asked the Minister of Health, Social Services and Public Safety what technological enhancements his Department will put in place to improve integrated care.
(AQW 36189/11-15)

Mr Poots: Innovative technology is already being deployed across health and social care to improve patient and client outcomes, and support the delivery of integrated care and service reform. The regional telemonitoring service enables people with long-term conditions to self-monitor and manage their condition without the need to visit their GP practice or hospital clinic, while their data recordings are electronically captured and transferred to their healthcare professional. The regional telecare service supports people, particularly the elderly, to continue to live independently for as long as possible through the use of sensors to mitigate risk. As well as triggering emergency response services, data collected from sensors can be used to inform decisions about the individual's care. Through the continued roll-out of NI Electronic Care Record and the electronic NI Single Assessment Tool, technology is supporting health and care professionals to make safe and timely decisions about an individual's care and treatment.

I am committed to building on Northern Ireland's reputation for world renowned, high quality health and social care research and I want to strengthen links between the health, academic and industry sectors in the development and application of innovative technology solutions to meet health and social care needs. For example, the report of the Economy and Jobs Initiative Task and Finish Group, published in May 2013, made a number of recommendations aimed at using technology to deliver improved health and social care services while at the same time supporting the local economy. My Department is working in partnership with DETI and other stakeholders to take forward these recommendations.

Mr Allister asked the Minister of Health, Social Services and Public Safety how many instances of disciplinary action have resulted in the Northern Health and Social Care Trust in consequence of the Independent Review of Estate Services; and to detail the outcomes.
(AQW 36203/11-15)

Mr Poots: I am advised that internal disciplinary procedures in relation to this matter are ongoing and have yet to reach conclusion.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety whether a community psychiatric nurse can request and receive information from a psychiatrist on the condition and treatment of a patient, without the approval of the patient.
(AQW 36220/11-15)

Mr Poots: Communication of clinical information between mental health professionals, within the boundaries of professional guidance around confidentiality and information sharing, can occur as part of the overall management of the person they are treating.

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the money allocated as a result of the joint health and education project part-funded by Atlantic Philanthropies targeting early intervention.
(AQW 36225/11-15)

Mr Poots: The Early Intervention Transformation Programme is one of three proposed projects being delivered as part of a Delivering Social Change/Atlantic Philanthropies initiative. Each of the three projects will be managed as part of the overall Delivering Social Change Programme. The Early Intervention Transformation Programme is the largest of the three, with a combined investment of £30m over four years by a collective of five Government Departments and Atlantic Philanthropies.

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the level of funding provided by Atlantic Philanthropies and the Executive that targets care for dementia patients.
(AQW 36227/11-15)

Mr Poots: The Delivering Social Change Signature Programme, which is a joint NI Executive and Atlantic Philanthropies initiative, will contribute approximately £6.2m to support efforts to improve care and support for people living with dementia.

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the proposed timescales for the joint health and education project on early intervention that will be part-funded by Atlantic Philanthropies.
(AQW 36228/11-15)

Mr Poots: The Cross Departmental Health and Education Programme on Early Intervention which is part-funded by Atlantic Philanthropies has been established and will continue in operation until 2017/2018.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety how many patients have been (i) sent home from hospital under the Transforming Your Care initiative; and (ii) readmitted to hospital within 48 hours, in the last twelve months.
(AQW 36236/11-15)

Mr Poots: Information on the number of patients who have been (i) sent home from hospital under the Transforming Your Care initiative; and (ii) readmitted to hospital within 48 hours is not available and could only be provided at disproportionate cost.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety how many people have been diagnosed with prostate cancer, broken down by Health and Social Care Trust, in each of the last three years.
(AQW 36238/11-15)

Mr Poots: The table below shows the number of males diagnosed with Prostate cancer in Northern Ireland in the years 2010 to 2012, by year of diagnosis and Health and Social Care Trust.

Trust	2010	2011	2012	Total
Belfast	163	170	147	480
Northern	284	285	336	905
South Eastern	190	205	183	578
Southern	177	238	181	596
Western	139	148	177	464
Unknown	4	1	0	5
Total	**957**	**1,047**	**1,024**	**3,028**

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.

Mrs Overend asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for an assessment or diagnosis of Autistic Spectrum Disorder, in each Health and Social Care Trust area.
(AQW 36239/11-15)

Mr Poots: The average waiting time for an assessment or diagnosis of Autistic Spectrum Disorder (ASD) is not centrally collected. Data in relation to children is collected by the Health and Social Care (HSC) Board in aggregated time bands, based on the length of time a child has waited for a diagnostic assessment. It is possible to calculate the median time band which is an alternative statistical measure.

Table 1: Patients waiting for Diagnostic Assessment by HSC Trust area and length of time waiting at 31 August 2014

HSC Trust	Length of Time Waiting, by weeks				
	0 – 4	>4 – 8	>8 – 13	>13	Total
Belfast	35	53	88	221	397
Northern	55	62	107	105	329
South Eastern	13	39	37	88	177
Southern	6	4	10	0	20
Western	23	29	43	37	132
Northern Ireland	132	187	285	451	1,055

Source: HSC Board, please note these figures have not been validated by the Department

Note: These figures refer to children only

The median time band for a child waiting for a diagnostic assessment at 31 August 2014 in the Belfast Trust was over 13 weeks, in the Southern Trust was 4 – 8 weeks and in the Northern, South Eastern or Western Trusts was 8 – 13 weeks.

This information is currently not available for adults.

Mr McElduff asked the Minister of Health, Social Services and Public Safety whether his Department is aware of unfilled shifts within the Western Urgent Care Out-of-Hours service; and whether his Department, whilst maintaining professional standards, will act to remove any barriers preventing the recruitment of GPs, including doctors outside the region to take part in this scheme.
(AQW 36241/11-15)

Mr Poots: I am aware of the difficulties GP Out of Hours (OOHs) providers, including Western Urgent Care (WUC), are encountering in filling some OOHs shifts.

The Health & Social Care Board (HSCB) is working with all of the OOHs providers in order to try and address the issue of unfilled shifts. In supporting both GP and nursing colleagues the HSCB has invested an additional £1.5million to the OOHs budget during 2014/15 in order to support the provision of OOHs services across NI. The western area has been allocated its share of funding to support the 5 centres in the Western LCG area.

The HSCB meets regularly with the Trusts to review performance and continue to explore opportunities to improve OOHs services in line with the Regional Strategic Framework for GP OOHs services. This focuses on: -

- Simplifying access;
- Improving organisational efficiency; and
- Improving alignment with other healthcare services.

WUC has already taken action to address issues around the delivery of GP OOHs services such as on-going recruitment for GPs, flexible working arrangements, enhanced payment rates for difficult to fill shifts, liaising with members of the Local Medical Committee in relation to encouraging GPs to work OOHs from their local centre as well, as the recent recruitment of a pool of nurses to assist with OOHs provision in the western area.

It is a requirement for GPs wishing to provide primary care medical services, including OOH, anywhere in Northern Ireland to apply for inclusion on the NI Primary Medical Services (PMS) Performers List. In addition, the HSCB, in conjunction with the Patient and Client Council, NI Medical and Dental Training Agency and my Department, is keen to ensure that patients' safety is paramount when including GPs on the PMS Performers List. To this end the HSCB introduced a GP development scheme in June 2013. All doctors applying to be included on the performers list must undertake this training...

Mr Easton asked the Minister of Health, Social Services and Public Safety how many nurses are currently employed by the South Eastern Health and Social Care Board.
(AQW 36251/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

Selected Health & Social Care Staff in South East1ern HSC Trust by grade as at 31st March 2014

Question	Grade	Headcount	Whole-time equivalent
AQW 36251 Nurses	Qualified Nurses (not including Midwives)	2,397	2,058.0
AQW 36254 Consultants	Medical & Dental consultants	230	212.5
AQW 36255 Occupational Therapists	Occupational Therapists	160	142.5
AQW 36256 Radiographers (assume Mr Easton meant SEHSCT)	Radiographers	104	91.8
AQW 36340 Porters	Porters / Orderly	46	45.2
AQW 36341 Domestic Services	Domestic Services / Laundry Services / Facilities	770	563.9
AQW 36343 Auxiliary nurses	Nurse Support	657	565.6
AQW 36344 Physiotherapists	Physiotherapists	191	159.9
AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many GPs are employed by the South Eastern Health and Social Care Trust.
(AQW 36253/11-15)

Mr Poots: GPs are not employed by Trusts but are independent contractors who hold a contract with Health and Social Care Board. We can however, provide information on the GP practices that are physically located within the South Eastern Health and Social Care Trust.

In September 2014 there were 207 Principal and Salaried GPs employed in GP practices that had a postcode within the South Eastern Health and Social Care Trust area.

Please note that this figure includes only Main GP Practices and excludes Branch Practices as Branch Practices are seen as having the same GPs as the Main Practice.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many consultants are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36254/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many occupational therapists are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36255/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many radiographers are currently employed by the Southern Health and Social Care Trust.
(AQW 36256/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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Ms Sugden asked the Minister of Health, Social Services and Public Safety for his assessment of (i) 79 per cent of the Northern Ireland Health and Social Care Workforce being female; and (ii) the risks associated with potential staffing shortages considering that of this number only 54 per cent work full time.
(AQW 36259/11-15)

Mr Poots: Staffing matters are the responsibility of Health and Social Care Trusts based on service need and available resources.

Appointments to positions in the HSC are based on specific criteria and are merit based. The terms and conditions and the wide variety of available job roles for HSC staff are such that we attract applications from all sections of the community and it is clear that many women take the opportunity to have a fulfilling career in this field.

Staffing levels are managed on a funded establishment basis of full-time equivalent staff and it is for HSC employers to manage alternative working patterns within this. I expect HSC employers to balance the need for flexible working patterns with the requirement to maintain safe and effective round-the clock services.

Ms Sugden asked the Minister of Health, Social Services and Public Safety how his Department plans to distribute the recent £6m of funding which has been provided to support three new projects which will improve health and social care services for people living with dementia.
(AQW 36262/11-15)

Mr Poots: The Dementia Services Project is being funded under the Delivering Social Change Signature Programme, a joint NI Executive/Atlantic Philanthropies initiative. The Project involves three workstreams, with an overall budget of approximately £6.2m.

The projected funding for each of the workstreams is as follows:

(i) Awareness Raising, Information and Support - £3.18m;

(ii) Developing Human Capital - £1.56m; and

(iii) Respite, Short Breaks and Support to Carers - £1.52m.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail the number of full time staff, working in the Northern Health and Social Care Trust, who are currently on sick absence.
(AQW 36263/11-15)

Mr Poots: The Northern Health & Social Care Trust has advised that the number of full-time staff on sickness absence at present is 391.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many porters are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36340/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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AQW 36344 Physiotherapists	Physiotherapists	191	159.9
AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many domestic service staff are employed by the South Eastern Health and Social Care Trust.
(AQW 36341/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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AQW 36344 Physiotherapists	Physiotherapists	191	159.9
AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many health records staff are employed by the South Eastern Health and Social Care Trust.
(AQW 36342/11-15)

Mr Poots: The South Eastern Health & Social Care Trust has advised that there were 87 medical records staff employed by the Trust at September 2014. The Trust has advised that this does not fully represent the entirety of 'health records' staff, which would be difficult to attach an absolute number to.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many auxiliary nurses are employed by the South Eastern Health and Social Care Trust.
(AQW 36343/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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AQW 36344 Physiotherapists	Physiotherapists	191	159.9
AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many physiotherapists are employed by the South Eastern Health and Social Care Trust.
(AQW 36344/11-15)

Mr Poots: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

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Mr McElduff asked the Minister of Health, Social Services and Public Safety for his assessment of the success of the Cooperation and Working Together Partnership, in terms of sharing resources and expertise on a North/South basis; and to detail the projects that have benefited people in West Tyrone.
(AQW 36378/11-15)

Mr Poots: The Cooperation and Working Together (CAWT) Partnership has a proven track record in the delivery of EU-funded cross-border projects on behalf of my Department and the Department of Health in the Republic of Ireland, and currently act as the delivery agent for the INTERREG IVA project 'Putting Patients, Clients and Families First'. This overarching project spans the area of Northern Ireland (with the exception of Greater Belfast) and the 'necklace' counties of Cavan, Donegal, Leitrim, Louth, Monaghan and Sligo, and receives EU support of £24m/€30m. While overall activity is currently due to end on 31st March 2015, the CAWT Partnership has already significantly exceeded their targets for the project.

Putting Patients, Clients and Families First comprises 12 strands, with patients and clients in the West Tyrone area benefiting from all areas of activity. I have included more information on these 12 strands at Tab A.

Tab A

Strands within the Putting Patients, Clients and Families First project

- Development of cross border acute hospital services – vascular, ENT, urology and ophthalmology
- Establishment of additional and new sexual health/GUM clinics in the border region
  A new GUM clinic established in Tyrone County Hospital with EU funding has now been mainstreamed by the Western Health and Social Care Trust with the support of the Commissioners, the Health and Social Care Board.
- Development of Eating Disorder services
- 'Time IVA Change' border region alcohol abuse prevention project
  All aspects of the project were delivered in West Tyrone with the support of local community and voluntary organisations.
- Improving outcomes for Children and Families
- Support for Older People
  Assistive Technology is being delivered across the Western Health and Social Care Trust area including West Tyrone.
- Citizenship for People with Disabilities
  Day Opportunities experiences and placements were facilitated right across the whole Western Health and Social Care Trust area including West Tyrone. Disability Action and Mencap assisted people with disabilities to access services and activities in their communities. In addition, under the Community Awareness Programme, Castlederg GP Practice was supported to implement best practice in relation to facilitating access by people with disabilities.
- Tackling Diabetes in high risk clients
  Both education programmes and Pre-pregnancy clinics take place in the Diabetes Centre, Tyrone County Hospital, Omagh.
- Prevention and management of Childhood Obesity (UP4IT!)

- The Lisanelly area of Omagh was one of the pilot areas for the 'UP4IT' obesity project.
- Promoting Social Inclusion and Tackling Health Inequalities
  In Castlederg, the CAWT Social Inclusion project engaged with the Derg Valley Healthy Living Centre, Churchtown Community Association and Rainbow Surestart to deliver a range of different programmes to those women most at risk of social inclusion.
- Cross Border Workforce Mobility – Leadership Development and cross border exchange of knowledge and skills
  Health service staff from the Western Health and Social Care Trust (including those from the Omagh and Strabane Council areas, have benefitted from these project initiatives).
- 'Turning the Curve' – Autism Support Project
  Young people with Autism in West Tyrone have participated in the Transition support and Summer Schemes delivered by the project. Families and carers have also benefited from the project.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety (i) how many applications were received; and (ii) how applicants were interviewed for the post of Chair of the Western Health and Social Care Trust.
(AQW 36386/11-15)

Mr Poots: Six applications were received for the position of Chair of the Western Health and Social Care Trust (WHSCT) in the recent Public Appointment competition.

Interviewees were assessed using a criteria based selection process. The panel which carried out the interviews for the WHSCT competition consisted of three members; the Permanent Secretary of the Department of Health, Social Services and Public Safety; an expert panel member and an independent assessor who was allocated by the Office of the Commissioner for Public Appointments in Northern Ireland.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what activities were funded by his Department to promote drugs awareness and prevention in Banbridge, in the last three years; and to detail the costs involved.
(AQW 36387/11-15)

Mr Poots: Through my Department's New Strategic Direction for Alcohol and Drugs Phase Two, the Public Health Agency commissions a range of alcohol and drug awareness and prevention services in the Banbridge area and these are set out as follows:

- **REACT Ltd One Stop Shop** – this service provides advice, general information, sign-posting and health behaviour information (on alcohol and drug misuse, mental health, suicide, relationships, etc) for those aged 11 to 25 years in a young people friendly environment. Funding over the last three years is set out below:

2012/13	£100,168
2013/14	£117,300
2014/15	£115,858

- **REACT Ltd Community Alcohol and Drugs Support Service, Banbridge** – This service provides group work and interventions with young people, parents and the community, as well as accredited training in alcohol awareness for both young people and adults. The programme targets vulnerable individuals and groups with alcohol and drug misuse issues, and their families/parent/carers are offered the opportunity to access relevant and appropriate support services. Funding over the last three years is set out below:

2012/13	£35,605
2013/14	£36,210
2014/15	£36,753

- **REACT Ltd Community Education and Training Service, Banbridge & Newry and Mourne** – this service delivers accredited alcohol and drugs education/training courses to address identified workforce development and community education needs across the southern area with particular focus on Banbridge and Dromore. Funding over the last three years is set out below:

2012/13	£19,250
2013/14	£19,300
2014/15	£19,612

Other PHA funded services:

There are a range of other alcohol and drug, and related, services funded by the PHA available to residents of Banbridge, though it is not possible to break down the costs of these specifically to that area – these include:

1. **CHILL - Young People's Treatment Service for under 18s**

This service is available across the southern area. CHILL provides counselling, mentoring, and group work for young people, parental support and therapeutic group work.

2. **The SHSCT Outreach Addiction Service.**

This service, available across the southern area, consists of eight practitioners including community addiction nurses, dual diagnosis practitioner, hospital substance misuse liaison practitioners, a child and family liaison practitioner and a CAMHS alcohol and drugs specialist.

3. **The BME Alcohol and Drugs Coordination Service.**

This service is co-ordinated by one dedicated staff member who has identified the specific needs of the target group, developed appropriate intervention programmes, and ensures the integration and co-ordination of the delivery of these programmes through the Community Alcohol and Drug Support Worker network. This service is available across the southern area.

4. **Early Warning/DAMIS.**

Staff from all PHA-funded services are trained in awareness of legal highs/EDOCs (Emerging Drugs Of Concern) and organisations are actively involved in the Regional DAMIS (Drugs And Alcohol Monitoring Information System) initiative.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety why specific training is not provided to nursing home staff to care for adults with Progressive Supranuclear Palsy and Corticobasal Degeneration.
(AQW 36392/11-15)

Mr Poots: Progressive Supranuclear Palsy and Corticobasal Degeneration are very rare conditions that would not be commonplace within nursing homes. However, where a specific training need for nursing home staff is identified, then Health and Social Care Trusts will help facilitate such training as required to enable them to provide appropriate care for service users.

Mr Frew asked the Minister of Health, Social Services and Public Safety how many patients with diabetes were (i) treated in an Emergency Department; and (ii) admitted to hospital in the Northern Health and Social Care Trust, in each of the last three years.
(AQW 36397/11-15)

Mr Poots: Information on the number of patients with diabetes who were treated in an Emergency Department is not available and could only be provided at disproportionate cost.

Information on the number of patients admitted to HSC Hospitals within the Northern HSC Trust with a primary diagnosis of diabetes is provided in the table below for each of the last three years.

Year	Patients admitted via an emergency department	All patients
2011/12	171	219
2012/13	196	245
2013/14	178	242

Source: Hospital Inpatient System

Notes

Diabetes has been defined using International Classification of Disease (revision 10) codes E10 to E14, searched for in the primary diagnosis position only.

Figures relate to individual patients admitted. As such, patients could be admitted to hospital more than once during the year with a diagnosis of diabetes and would only be counted once.

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 35868/11-15, why the budget and the provision of staff for services in the Western Health and Social Care Trust area is so low.
(AQW 36414/11-15)

Mr Wells: The Health and Social Care Board (HSCB) allocates funds to HSC Trusts based on the agreed capitation formula. The Western Trust receives 17.2% of the total £1.174m for Personality Disorder Services. This is its capitation share and reflects its position as having the lowest population of the 5 HSC Trusts in Northern Ireland.

Regarding the provision of staff, the constitution of the community Personality Disorder Service can vary between Trusts, and therefore it can be misleading to make direct comparisons between staff numbers across Trusts. In the case of the Western Trust, the funding has been used to provide Clinical Psychologist posts, which are more expensive than some other posts such as practitioners or support workers.

Mr Weir asked the Minister of Health, Social Services and Public Safety what checks or provision is made for people returning to Northern Ireland from countries which have had an outbreak of the Ebola virus disease.
(AQW 36420/11-15)

Mr Wells: In order to reduce the risk of international spread of Ebola Virus Disease, and in line with World Health Organisation guidance, the countries affected by the disease have introduced exit screening at airports to ensure that individuals who are unwell do not board flights.

It is important to note that the risk of infection for travellers is very low since person-to-person transmission results from direct contact with the body fluids or secretions of an infected patient and is not airborne.

Current advice from the World Health Organisation states, that there should be no general ban on international travel with the affected countries and that risk to travellers is very low. There are therefore no entry restrictions for individuals travelling from the affected countries to the UK.

The Public Health Agency (PHA), through its Health Protection Service, has communicated with colleagues covering all sea ports and airports in Northern Ireland informing them of the current situation in relation to the outbreak and directing them to sources of further information, including actions to be taken should a sick traveller, potentially with an infectious disease, come to their attention.

The World Health Organisation will continue to monitor the situation and amend recommendations if necessary.

Mr Rogers asked the Minister of Health, Social Services and Public Safety for an update on the expected date for the restoration of full accident and emergency services at Downe Hospital.
(AQW 36422/11-15)

Mr Wells: The South Eastern Health and Social Care Trust took the decision to temporarily reduce the opening hours of the Downe Hospital emergency department from 4th January 2014 because of a shortage of suitably qualified middle grade doctors. Despite repeated efforts by the Trust to recruit doctors, this position has not improved and the Trust is therefore at present unable to give a date for resumption of the previous opening hours.

The Trust has taken a number of actions to mitigate the effects of the temporary reduction in the emergency department's opening hours, including direct admission by GPs to the Downe Hospital at times when the department is closed and provision of a nurse-led minor injuries service from 9am to 5pm on Saturday and Sunday.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many maintenance staff are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36432/11-15)

Mr Wells: The numbers of staff requested can be found in the HSC Workforce Census March 2014 publication, released on 11th September. A hard copy of this was sent to the NI Assembly library, or it can be found on the Departmental website at: http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm

Selected Health & Social Care Staff in South Eastern HSC Trust by grade as at 31st March 2014

Question	Grade	Headcount	Whole-time equivalent
AQW 36251 Nurses	Qualified Nurses (not including Midwives)	2,397	2,058.0
AQW 36254 Consultants	Medical & Dental consultants	230	212.5
AQW 36255 Occupational Therapists	Occupational Therapists	160	142.5
AQW 36256 Radiographers (assume Mr Easton meant SEHSCT)	Radiographers	104	91.8
AQW 36340 Porters	Porters / Orderly	46	45.2
AQW 36341 Domestic Services	Domestic Services / Laundry Services / Facilities	770	563.9
AQW 36343 Auxiliary nurses	Nurse Support	657	565.6
AQW 36344 Physiotherapists	Physiotherapists	191	159.9
AQW 36432 Maintenance	Boilerman / Plumber / Electrician / Joiner / Labourer / Painter / Multiskilled / Groundsmen	59	59.0

Mr Easton asked the Minister of Health, Social Services and Public Safety how many ward clerks are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36433/11-15)

Mr Wells: The South Eastern Trust advises that it does not have a specific job or grade called 'ward clerk', and as such is unable to answer this question.

It currently employs 14 payroll staff by headcount, and 72 in Human Resources. These figures were obtained directly from the Trust, and have not been verified by the Department.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many payroll officers are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36434/11-15)

Mr Wells: The South Eastern Trust advises that it does not have a specific job or grade called 'ward clerk', and as such is unable to answer this question.

It currently employs 14 payroll staff by headcount, and 72 in Human Resources. These figures were obtained directly from the Trust, and have not been verified by the Department.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many personnel staff are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36435/11-15)

Mr Wells: The South Eastern Trust advises that it does not have a specific job or grade called 'ward clerk', and as such is unable to answer this question.

It currently employs 14 payroll staff by headcount, and 72 in Human Resources. These figures were obtained directly from the Trust, and have not been verified by the Department.

Mr Hussey asked the Minister of Health, Social Services and Public Safety, pursuant to AQO 6676/11-15, to detail (i) where the addictions treatment unit will be based in Omagh; and ii) where the mental health unit, currently based in the Tyrone and Fermanagh Hospital, will be located.
(AQW 36456/11-15)

Mr Wells:

(i) The recent HSCB review of inpatient addiction services in Northern Ireland has recommended that Tier 4 (i.e. inpatient) HSC provided services be reconfigured into 3 sites across Northern Ireland. It is currently envisaged that provision will be consolidated within the three existing units i.e. the Tyrone and Fermanagh Hospital in Omagh, Holywell Hospital in Antrim, and the Downshire Hospital in Downpatrick. However, decisions have not yet been finalized and ultimately the location of these services is a matter for the appropriate HSC Trust, in consultation with the HSCB and the PHA.

(ii) The Health and Social Care Board (HSCB) undertook an analysis of demand for and access to acute mental health services in the Western Trust area. The HSCB report of findings on this issue, which was submitted to the Department in May 2014, was inconclusive and the Western Trust has been asked to develop a full business case to assist in determining the need for and location of this facility. This will take account of financial and value for money considerations together with the HSCB report findings. A final decision on the location of the unit will not be taken until this business case has been completed.

After that, timing of the project will be subject to budgetary availability and this project will need to be considered alongside all other demands on the capital budget as we move to the next budgetary period commencing in 2015/16.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety whether he plans to fund a province-wide television advertising campaign to raise awareness of drugs abuse.
(AQW 36550/11-15)

Mr Wells: Given the limited resources that are currently available for advertising campaigns, due to restrictions imposed by OFMdFM, the Public Health Agency focuses its advertising budget on areas that are proven to be effective. Looking at the evidence, these types of public information campaigns generally seem to have minimal impact on levels of substance misuse and at worst have been shown on occasion to increase drug-seeking and risk-taking behaviour.

However, I feel that we have to do more to get information out to those at risk. The PHA has been working with a number of young people to see what sort of very targeted messages are likely to get through to that peer group – particularly when a new drug that is of particular concern emerges. In addition, I have asked the PHA to keep the evidence for such a wider public information campaign under review and to re-consider the need for such a campaign, should the current evidence change.

Department of Justice

Mrs D Kelly asked the Minister of Justice how many applications for Legal Aid for personal injury claims have been made within the last twelve months; and of those applications, to detail the number (i) granted; and (ii) refused; and of those refused, how many were appealed and granted on appeal.
(AQW 35911/11-15)

Mr Ford (The Minister of Justice): I am advised that the Legal Services Commission does not record applications by personal injury claims. It records applications for money damages cases, the majority of which are personal injury claims. From September 2013 to August 2014 there were 1,346 civil certificates granted for money damages cases and 813 applications were refused. Information on the number of applications which are refused, appealed and granted on appeal is not readily available and could only be obtained at disproportionate cost.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35309/11-15, whether he will order a Serious Care Review in the interests of public safety and risk management.
(AQW 36063/11-15)

Mr Ford: I understand that the PSNI is conducting an internal review of the case and any learning from this will be shared (where applicable) with partner agencies within the Public Protection Arrangements Northern Ireland (PPANI).

Lord Morrow asked the Minister of Justice (i) how many sets of accounts have been filed by the Police Federation of NI; (ii) on what dates were they filed: (iii) where are the accounts held; and (iv) who signs the accounts off on behalf of his Department.
(AQW 36066/11-15)

Mr Ford: The Police Association for Northern Ireland Regulations 1991 state that the central committee shall keep accounts for the Police Federation for Northern Ireland (PFNI) and that the central committee shall have these audited each year by an independent auditor.

The regulations state that, at the end of each financial year a summary of the PFNI accounts, together with a copy of the independent auditor's report, shall be made available to the central committee at the annual conference.

The regulations also state that a copy of the accounts shall be sent to my Department and published in a manner approved by the central committee for the information of members.

I confirm that, while a copy of the accounts is not routinely sent to my Department, it is not the responsibility of my Department to sign off PFNI accounts.

Mr Lyttle asked the Minister of Justice what departmental services he has made available to the public via the post office network.
(AQW 36089/11-15)

Mr Ford: No departmental services are available to the public via the post office network.

Mr Copeland asked the Minister of Justice to detail the number of Prison Officers in each prison who currently posses a criminal conviction for (i) a driving offence; or (ii) an other offence.
(AQW 36101/11-15)

Mr Ford: The number of Prison Officers in each prison recorded as currently possessing a criminal conviction for a driving offence or other offence are as follows:

	Driving Offence	Other Offence
Maghaberry Prison	2	0
Magilligan Prison	2	0
YOC Hydebank	0	3

Lord Morrow asked the Minister of Justice to provide a copy of (i) the complaints policy; and (ii) the code of conduct of the Police Federation for Northern Ireland, as required of a government funded body.
(AQW 36196/11-15)

Mr Ford: The Police Federation for Northern Ireland is not a government funded body. I do not hold a copy of any complaints policy for the Police Federation for Northern Ireland; any such policy is a matter for the Police Federation. Office-holders and members of the PFNI as PSNI officers are subject to the PSNI Code of Ethics. The Code is prepared and issued by the Northern Ireland Policing Board and is also reflected in Regulations. I have placed a copy in the Assembly Library. Public complaints against PSNI officers remain the responsibility of the Police Ombudsman for Northern Ireland.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35310/11-15, given the example set by the Northern Ireland Prison Service who regard all new psychoactive substances as banned substances, what action he will take to replicate this outside a prison setting and within legislation.
(AQW 36197/11-15)

Mr Ford: The Northern Ireland Prison Service treat any pill or substance that was not issued by the Prison Pharmacist or Medical staff, as possession of an unauthorised article or substance and a breach of Prison Rules as set out in The Prison and Young Offenders Centres Rules (Northern Ireland) 1995. This would include new psychoactive substances (NPS).

In terms of the legal position outside the Prison environment, NPS are illegal if they contain substances banned under the Misuse of Drugs Act 1971.

This legislation is a reserved matter and its adequacy in dealing with NPS is currently being reviewed by the Home Office.

Whilst this review is ongoing my Department continues to support the joint action taken by local Councils and the PSNI to remove these harmful substances from sale.

Lord Morrow asked the Minister of Justice to detail (i) the number of times, in the last twelve months, that G4S staff at Dungannon Court House have reported faulty palm scanners, including all dates and correspondence received; and (ii) whether these matters are routinely reported to his Department; and if so, whether audits are conducted to ensure risk assessment, public safety and quality control.
(AQW 36198/11-15)

Mr Ford: Palm scanning devices across the Court Estate are owned and maintained by G4S Secure Solutions (UK) Limited. G4S conduct daily audits of all handscanning information and are required to report any anomalies to the Northern Ireland Courts and Tribunals Service (NICTS). Any faults are reported by G4S staff directly to their employer. No reports of faulty palm scanners have been reported to NICTS in the last twelve months. NICTS conducts Security and Health and Safety audits of all its premises.

Ms Sugden asked the Minister of Justice for his assessment of the effectiveness of Youth Conferencing; and, of the number of participants in Youth Conferencing, how many have reoffended within six months, in each of the last three years.
(AQW 36230/11-15)

Mr Ford: Whilst a reduction in reoffending is the desired goal, the youth conference in itself is not just another method for reducing offending, but also a means of giving the victim and the community a voice in the process. In Northern Ireland we have a high rate of direct victim participation, with victims participating in 46% of conferences in 2013/14. Victims are given the opportunity to have a direct input, have their views heard and to feel part of the process. This is often not the case with "traditional" justice and is a valuable addition to what can be a very difficult experience for those who have been hurt and harmed. In 2013/14 99% of victims who took part in Youth Conferencing reported satisfaction with the process.

Youth Conferencing is focused on the delivery of bespoke plans aimed at reducing offending. The plans are also designed to improve the young person's life chances and to make direct amends to the victim where appropriate.

In relation to reoffending the Department of Justice does not, as yet, hold a continuous series of reoffending information for the period in question. The Department has recently revised the methodology used to calculate reoffending analysis. The first publication in this new series was published in June 2014 and provided one year reoffending information for a cohort of offenders given a community disposal or released from custody during the 2010/11 financial year.

Across the adult and youth 2010/11 cohorts, 4161 individuals had received at least one Youth Conference Order. Of these 180 (43%) had reoffended within six months of receiving the order.

Ms Sugden asked the Minister of Justice for his assessment of the correlation between young offenders and areas of deprivation.
(AQW 36231/11-15)

Mr Ford: Research elsewhere supports the view that there is a link between crime and deprivation but no specific research has been undertaken by my Department in relation to young offenders in Northern Ireland.

The Department's Strategic Framework for Reducing Offending - which sets out the Executive's long-term approach to reducing offending in Northern Ireland - recognised that offending behaviour can be linked to wider factors including problems with family, health, social care, education, training and employment, poverty and deprivation and housing. Whilst not related specifically to young offenders, the link between deprivation and offending is highlighted within this Framework.

1 Please note the 2010/11 cohort was divided into youths and adults (18+), based on age at baseline conviction or release, and two publications were produced accordingly. For youths, 198 of 370 (54%) had reoffended within one year of receipt of the Youth Conference Order and 23 of 46 adults.

Lord Morrow asked the Minister of Justice, with the exception of drug testing services how many contracted services in the Northern Ireland Prison Service are currently outside their specified contracted time frame and working on the basis of an extension.
(AQW 36252/11-15)

Mr Ford: Northern Ireland Prison Service does not have any contracts outside their specified time frame.

Lord Morrow asked the Minister of Justice, pursuant to AQW 34514/11-15, to provide a copy of the evidence on which the assertion is based that in one of the two contracts, it was the employees of G4S Secure Solutions (UK) who specifically requested zero hours and declined offers of full-time, or part-time, employment.
(AQW 36257/11-15)

Mr Ford: My response to AQW 34514/11-15 advising that it was the employees of G4S Secure Solutions (UK) who specifically requested zero hours and declined offers of full-time, or part-time, employment was based upon information provided by G4S to Departmental officials.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35311/11-15, (i) how many times a decision has been taken to extend this contract; (ii) the dates these decision were taken; and (iii) the agency responsible for making the decisions on each occasion.
(AQW 36258/11-15)

Mr Ford: This contract is administered, and has been extended, by the Scottish Prison Service. The Northern Ireland Prison Service has not had any role in the extension of the contract.

The Scottish Prison Service first advertised the tender in March 2009 and the contract commenced in September 2009.

Mr Givan asked the Minister of Justice to detail the number of PSNI officers, who are members of the 1988 pension scheme, who (i) will be; and (ii) will not be affected by the impending Police Pension reform.
(AQW 36280/11-15)

Mr Ford: The most recent police pension scheme became operational on 6 April 2006. The PSNI has estimated the number of officers in each of the schemes as follows:

PSNI officer	1988 Scheme Members	2006 Scheme Members
affected by police pension reform	2,559	1,957
not affected by police pension reform	2,128	34

Mr Givan asked the Minister of Justice to detail the number of PSNI officers, who are members of the 2007 pension scheme, who (i) will be; and (ii) will not be affected by the impending Police Pension reform.
(AQW 36281/11-15)

Mr Ford: The most recent police pension scheme became operational on 6 April 2006. The PSNI has estimated the number of officers in each of the schemes as follows:

PSNI officer	1988 Scheme Members	2006 Scheme Members
affected by police pension reform	2,559	1,957
not affected by police pension reform	2,128	34

Mr Givan asked the Minister of Justice how many consultation meetings on Police Pension reform have taken place since June 2010; and what evidence and records exists from each of these meetings.
(AQW 36285/11-15)

Mr Ford: Since June 2010, 34 consultation meetings on Police Pension reform have taken place under the auspices of the Police Negotiating Board of the United Kingdom. In line with normal practice, such consultations are carried out in confidence.

Mr Givan asked the Minister of Justice how many indications of concern his Department has received from PSNI officers over the impending Police Pension reform.
(AQW 36286/11-15)

Mr Ford: To date, I have received indications of concern from eleven individuals for or on behalf of PSNI officers, over the impending Police Pension reform.

Mr Givan asked the Minister of Justice to outline his Department's consultation process with PSNI officers on Police Pension reform.
(AQW 36287/11-15)

Mr Ford: On 3 July 2014, my Department published a statement detailing the bodies to be consulted when making changes to pensions regulations. Consultation is targeted at those bodies with a direct responsibility for police pensions and the recognised staff associations and representative bodies. This approach is consistent with that of other Departments in relation to the changes to public sector pension schemes.

My Department has issued two information circulars (PPSD 04/13 & PPSD 05/13) which detail the need for pension reform and advise on how these changes may affect officers in the police pension scheme. The PSNI advises that these circulars were made available to officers on 13 May 2013 and 3 January 2014 respectively.

Mr D McIlveen asked the Minister of Justice, pursuant to AQW 35331/11-15, in each year, how many people were registered within each of the denominations; and how many individual journeys were claimed for by each chaplain.
(AQW 36322/11-15)

Mr Ford: Table A below shows the average number of prisoners registered for each year within each of the denominations. Table B below shows the number of individual journeys claimed by each chaplain.

Table A

Maghaberry	**2010/2011**	**2011/2012**	**2012/2013**	**2013/2014**
Church of Ireland	74	85	92	104
Roman Catholic	420	492	529	555
Free Presbyterian	65	73	68	72
Methodist	16	22	23	22
Muslim	6	9	11	8
Presbyterian	105	126	143	145
Others	106	138	146	157
Total	**792**	**945**	**1012**	**1063**

Magilligan	**2010/2011**	**2011/2012**	**2012/2013**	**2013/2014**
Church of Ireland	53	51	55	57
Roman Catholic	256	290	281	293
Free Presbyterian	24	20	25	24
Methodist	9	11	15	13
Muslim	2	1	2	5
Presbyterian	75	95	97	93
Others	50	56	59	66
Total	**469**	**524**	**534**	**551**

Hydebank Wood	**2010/2011**	**2011/2012**	**2012/2013**	**2013/2014**
Church of Ireland	25	28	22	16
Roman Catholic	135	138	125	135
Free Presbyterian	4	3	3	3
Methodist	3	2	2	2
Muslim	1	1	1	1
Presbyterian	42	41	31	31
Others	27	46	49	45
Total	**237**	**259**	**233**	**233**

Table B

Chaplain Numbers	2010/2011 Journeys	2011/2012 Journeys	2012/2013 Journeys	2013/2014 Journeys
1	53	155	202	247
2	270	257	230	191
3	10	0	0	0
4	18	0	0	0
5	159	43	0	0
6	100	0	1	0
7	51	0	0	0
8	75	0	19	11
9	26	0	0	41
10	4	0	0	0
11	48	0	0	0
12	199	247	185	241
13	0	0	0	4
14	0	0	0	10
15	56	136	96	79
16	115	33	22	67
17	116	94	104	108
18	108	100	136	133
19	127	121	129	129
20	86	0	0	0
21	65	0	0	0
22	81	126	67	18
23	2	0	0	0
24	16	2	0	0
25	0	0	54	65
26	61	95	64	8
27	102	146	0	0
28	84	135	244	220
29	191	170	42	0
30	0	0	16	66
31	0	0	0	2
32	18	73	39	38
33	147	148	149	137
34	100	129	164	171
35	42	63	18	19

Mr Campbell asked the Minister of Justice how many searches, primarily aimed at finding illegal drugs, have been undertaken in each prison, in each of the last three years.
(AQW 36329/11-15)

Mr Ford: NIPS does not search solely for illegal drugs; searches are targeted at all unauthorised articles. The figures for all searches are set out in the table below.

Year	Maghaberry	Magilligan	Hydebank	Total
2012	42326	33002	12578	87906
2013	47631	24546	10600	82777
2014*	19843	15595	6878	42316
Total	**109800**	**73143**	**30056**	**212999**

* Up to 23rd September

Lord Morrow asked the Minister of Justice, pursuant to AQW 35666/11-15, (i) why the external contractor in this matter is permitted to dictate the terms of a public contract service; (ii) whether this is a special dispensation or privilege; (iii) whether the extension gives the contractor an advantage over other potential tenderers; (iv) how a sitting service provider can be permitted to write up and prepare a tender which they are already holding before it is advertised; and (v) whether this practice is lawful.
(AQW 36337/11-15)

Mr Ford: As stated in AQW/35666/11-15 the contract is administered by Scottish Prison Service, the provider is a third party laboratory. The contractor has not been allowed to dictate terms and no special dispensation or advantage has been gained. The practice whereby NIPS is buying into a contract between the Scottish Prison Service and the laboratory is entirely lawful.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35540/11-15, whether he wishes to review his answer given the prisoner in question was charged with drug dealing and his address on arrest was reported as the Prisoner Assessment Unit; or whether said prisoner was not moved as planned earlier this year.
(AQW 36338/11-15)

Mr Ford: I do not intend to review the answer provided in AQW 35540/11-15.

Mr Givan asked the Minister of Justice why PSNI Officers who were recruited after April 2007 have larger pension contributions than staff under an earlier scheme.
(AQW 36351/11-15)

Mr Ford: Officers in the PSNI who are members of the new police pension scheme pay lower pension contributions than those in the 1988 scheme. Officers joining the police service since 6 April 2006 have been eligible for membership of the pension scheme, governed by the Police Pensions (Northern Ireland) Regulations 2009. Officers' pension contribution rates were reduced (from 11% in the 1988 scheme) to 9.5% which reflected the terms of the new scheme.

In 2010, the Chief Secretary to the Treasury advised that public sector workers should pay an average of 3.2% more of pay for their pensions by April 2014/15.

Adoption of a three tier model of pension contributions from 2011 reflected the Executive's view that low earners should be protected and that higher earners should pay more while minimising an increase in the opt out rate. Currently a PSNI Officer in the 2006 scheme pays pension contribution of between 11% and 12.75% depending upon rank, whereas their counterparts in the 1988 scheme pay between 14.25% and 15.05%.

Mr Givan asked the Minister of Justice what consideration has been given to transitional or provisional arrangements for PSNI officers pensions compared to England and Wales; and to detail these considerations.
(AQW 36364/11-15)

Mr Ford: The reforms of police pensions, including the transitional and provisional arrangements for PSNI officers, are part of the wider reforms to public sector pensions, agreed by the Assembly when it passed the Public Sector Pensions Act (NI) 2014. The changes to police pensions were also agreed nationally through the Police Negotiating Board and are, therefore, in line with changes being introduced in Great Britain.

Information circulars PPSD 04/13 & PPSD 05/13 provide details on transitional and provisional arrangements for PSNI officers' pensions. I have placed copies in the Assembly Library.

Mr Allister asked the Minister of Justice, pursuant to AQW 31801/11-15, for an update in respect of the costs incurred, including the costs of the further Preliminary Investigation concluded on 3 September 2014.
(AQW 36377/11-15)

Mr Ford: The estimated costs of the case to date are given in the table below.

Cost Type	Estimated Cost (£)
Legal Aid [1]	118,354

Cost Type	Estimated Cost (£)
Prosecution [2]	73,201
Court (Judiciary and Staff Costs)	12,542
PSNI costs [3]	-
Facilities (e.g. Courtroom Accommodation)	4,492
Legal Costs arising from Judicial Review	16,240
Total	**224,829**

1 These costs were determined in accordance with The Magistrates' & County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009. All cases were certified to be Very High Cost cases in accordance with Rule 9.

2 In the absence of detailed records of time spent on individual cases it is not possible to produce precise costs for a particular case. The costs listed include expenses paid and fees paid to prosecuting counsel/CSO.

3 PSNI costs are not routinely recorded for individual cases.

Mr Agnew asked the Minister of Justice (i) for an update on the development of the new police training college; (ii) how much of the £105m budgeted for the college has been spent; and (iii) given the delay, whether any money has been reallocated to other projects.
(AQW 36382/11-15)

Mr Ford: The Programme Board commissioned a review of the project in early April. It established that the current design for the College would cost £25m more than the approved business case. The design review and value engineering exercise identified potential savings in the region of £18m. Further work and analysis was commissioned to validate the potential savings. This work has now been completed and a cost report, presented to the Programme Board on 25 September, is being considered.

In parallel, work is continuing to ensure that all the conditions of approval attached to the outline business case are fully addressed.

As at 31 August, the total spend on the project was £9.6m. This excludes the £2.85m in relation to site acquisition.

No funding has been re-allocated to other projects.

Mr Frew asked the Minister of Justice by what percentage the privatisation of sections of the prison estate is expected to reduce running costs.
(AQW 36399/11-15)

Mr Ford: The Prison Service has no plans to privatise any section of the prison estate.

Lord Morrow asked the Minister of Justice whether a legal aid certficate was granted in respect of the person; and if so, (i) on what date; and (ii) whether this covered a law firm as well as senior and junior counsel.
(AQW 36428/11-15)

Mr Ford: As indicated in the response to AQW/34725/11-15 legal aid was not granted in this case.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35311/11-15, what provision exists to allow extensions of tenders and contracts; and to provide copies of this provision.
(AQW 36429/11-15)

Mr Ford: This contract is administered, and has been extended, by the Scottish Prison Service. The Northern Ireland Prison Service has not had any role in the extension of the contract.

The Scottish Prison Service first advertised the tender in March 2009 and the contract commenced in September 2009.

Lord Morrow asked the Minister of Justice, pursuant to AQW 35311/11-15, on what date the tender was first (i) advertised; and (ii) awarded.
(AQW 36430/11-15)

Mr Ford: This contract is administered, and has been extended, by the Scottish Prison Service. The Northern Ireland Prison Service has not had any role in the extension of the contract.

The Scottish Prison Service first advertised the tender in March 2009 and the contract commenced in September 2009.

Mr Campbell asked the Minister of Justice what was the average annual cost to the public purse of incarcerating a prisoner in each year between 2008 and 2013, broken down by prison.
(AQW 36459/11-15)

Mr Ford: The average annual cost to the public purse of incarcerating a prisoner in each year between 2008 and 2013 is set out in Table A below. This average cost is for Northern Ireland Prison Service (NIPS) as a whole as the cost per prisoner place (CPPP) is not broken down by prison on an annual basis.

Table A: Cost per Prisoner Place (CPPP)

2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
£81,340	£77,831	£73,762	£71,398	£66,494	£62,898

Mrs Dobson asked the Minister of Justice whether he plans to adjust the threshold at which the Probation Board for Northern Ireland arrives at an assessment of dangerousness.
(AQO 6689/11-15)

Mr Ford: There are no plans to adjust the threshold at this time. As I outlined in my response to a previous question on this matter, the determination of dangerousness in respect of offenders is a matter for the courts.

The Probation Board assists in this process by assessing the risk of serious harm presented by offenders, using its Risk of Serious Harm procedures. These are rigorous and structured procedures resulting in the production of pre-sentence reports for the courts to use as information to support their determination of dangerousness for offenders. These procedures were most recently reviewed in 2013.

Ms McGahan asked the Minister of Justice for an update on the development of a new women's prison facility.
(AQO 6690/11-15)

Mr Ford: Following approval of the Strategic Outline Case by the Department of Finance and Personnel in July, NIPS Officials are in the process of appointing an Integrated Design Team, which will progress the Project through the Business Case, Exemplar Design and Procurement processes to construction and handover of the new facility.

Officials are at an advanced stage in the process of developing plans for a step-down facility on the Hydebank Wood site for women prisoners nearing the end of their sentence and preparing to return to the community. I am hopeful that this facility will be available by summer 2015.

I am also pleased to inform you that work is now completed on the upgrade of Ash House infill. This will provide a range of additional educational, training and support services for female prisoners.

Mr McQuillan asked the Minister of Justice for an update on equal pay for PSNI and Northern Ireland Office staff, including a timeline for the resolution of this issue.
(AQO 6691/11-15)

Mr Ford: I am pleased that the Finance Minister has submitted a draft paper on this matter for consideration by the Executive. I continue to be supportive of a centrally funded and centrally driven solution.

As this draft paper is currently with the Executive for consideration, I am unable to provide a timeline for the resolution of this issue.

Mr Hazzard asked the Minister of Justice to outline his Department's position on the need for legislative powers to deal with the prohibition of legal highs.
(AQO 6692/11-15)

Mr Ford: The emergence of New Psychoactive Substances is of serious concern to us all.

The legislation governing the sale and distribution of drugs remains a reserved matter. However, these substances can have a devastating impact and it is clear that more needs to be done.

The initial success of Belfast City Council's use of existing legislative powers to remove these harmful substances from sale has been replicated in both Omagh and Larne and my Department will continue to support further action by Local Councils across Northern Ireland.

In December 2013, the UK Government announced a Home Office-led Review of the effectiveness of the current legislative response to new psychoactive substances. I understand that this Review is informed by exploring the range of approaches taken internationally in order to identify legislative options for enhancing the current response.

Given the urgency of dealing with these dangerous substances, I wrote recently to the Minister of State for Crime Prevention recently seeking an update on progress.

In the meantime, my Department, the PSNI and Local Councils, will continue to do all that we can to remove these harmful substances from our communities.

Mr I McCrea asked the Minister of Justice for an update on pension payments to RUC widows.
(AQO 6693/11-15)

Mr Ford: I remain keen to give effect to the will of the Assembly that, under Section 30 of the Public Service Pensions Act (Northern Ireland) 2014, police widows who remarry or who have remarried after 1 January 1989 should retain, or have reinstated, their pensions. However, there are a number of technical issues that need to be resolved with the Department of Finance & Personnel and with HM Treasury before I can give approval for payments to commence.

I have written to the Finance Minister seeking to address these issues urgently and I understand he is engaging with HM Treasury on the matter. I await a substantive response.

Mr Byrne asked the Minister of Justice whether he has any plans to engage with the Law Society and Bar Council to resolve the outstanding issues of Legal Aid.
(AQO 6694/11-15)

Mr Ford: I have a continuing process of engagement with the Law Society and Bar Council in respect of reform of legal aid. This includes discussions on remuneration in the Crown Court and for all types of civil legal aid.

I am consulting with both organisations on the introduction of a statutory registration scheme and on a range of secondary legislation flowing from the Legal Aid and Coroners' Courts Bill.

I plan to publish a consultation document on the scope of legal aid on which I will wish to engage closely with the legal profession.

Mr Allister asked the Minister of Justice to explain his reference in replying to AQO 6682/11-15 to criminal activity by dissident unionists; and to identify any such groups to which he was referring.
(AQW 36677/11-15)

Mr Ford: I would refer you to the reply I gave Mr Sydney Anderson (Upper Bann) to AQO/5032/11-151 during Question Time on 19 November 2013.

1Official Report (Hansard) Tuesday 19 November 2013, Volume 89, No 6.

Lord Morrow asked the Minister of Justice whether Northern Ireland Prison Service drugs testing is out of contract.
(AQW 36689/11-15)

Mr Ford: The NIPS drug testing is not out of contract.

Mr McGlone asked the Minister of Justice for an update on the Northern Ireland Community Safety College project at Desertcreat.
(AQW 36807/11-15)

Mr Ford: The Programme Board commissioned a review of the project in early April. It established that the current design for the College would cost £25m more than the approved business case. The design review and value engineering exercise identified potential savings in the region of £18m. Further work and analysis was commissioned to validate the potential savings. This work has now been completed and a cost report, presented to the Programme Board on 25 September, is being considered.

In parallel, work is continuing to ensure that all the conditions of approval attached to the outline business case are fully addressed.

Department for Regional Development

Mr Frew asked the Minister for Regional Development, pursuant to AQW 34553/11-15, how many road sweepers and vacuum tankers are available for use in any one council or constituency area.
(AQW 35535/11-15)

Mr Kennedy (The Minister for Regional Development): My Department's Transport NI Operations & Maintenance unit has a total of 24 vacuum tankers located at depots across four Divisional areas.

There are an additional 12 dual-function vehicles, which are generally used as road sweepers, but can also be used for gully cleaning.

Details of the locations of the equipment and the council areas serviced are set out in the following table (equipment can be shared across depots to help meet particular pressures):

Depot	Vehicle Type	Area Serviced
Londonderry	Vacuum Tanker	Londonderry
Londonderry	Road Sweeper	Londonderry
Coleraine	Vacuum Tanker	Coleraine and Limavady
Coleraine	Road Sweeper	Coleraine and Limavady
Ballymoney	Vacuum Tanker	Ballymoney and Moyle
Ballymoney	Road Sweeper	Ballymoney and Moyle
Ballymena	Vacuum Tanker	Ballymena
Ballymena	Road Sweeper	Ballymena, Antrim and Larne
Antrim	Vacuum Tanker	Antrim
Larne	Vacuum Tanker	Larne
Newtownabbey	Vacuum Tankers (4)	Belfast North, Newtownabbey and Carrickfergus
Belfast	Vacuum Tankers (2)	Belfast South
Belfast	Road Sweeper	Belfast
Bangor	Vacuum Tankers (2)	North Down and Ards
Lisburn	Vacuum Tankers (2)	Lisburn and Castlereagh
Lisburn	Road Sweeper	Lisburn, Newtownabbey, Castlereagh, North Down and Ards
Banbridge	Road Sweeper	Banbridge
Seaford	Vacuum Tanker	Down District
Seaford	Road Sweeper	Down District
Craigavon	Vacuum Tanker	Craigavon
Craigavon	Road Sweeper	Craigavon
Armagh	Vacuum Tanker	Armagh
Newry	Vacuum Tanker	Newry
Omagh	Vacuum Tanker	Cookstown and Magherafelt
Omagh	Vacuum Tanker	Ballyvadden and Dungannon
Omagh	Vacuum Tanker	Omagh
Dungannon	Road Sweeper	Dungannon, Magherafelt and Cookstown
Silverhill	Road Sweeper	Kesh and Strabane
Strabane	Vacuum Tanker	Strabane and Londonderry
Strabane	Road Sweeper	Strabane and Omagh

Mr Easton asked the Minister for Regional Development how much has been collected from car parking fines in each of the last three financial years.
(AQW 35592/11-15)

Mr Kennedy: Details of the amount collected from Penalty Charge Notices in each of the last three financial years, are set out in the table below:

	2011/2012	2012/2013	2013/2014
Amount (*)	£3,843,785	£4,271,524	£4,624,187

(* amounts collected may relate to Penalty Charge Notices issued in an earlier financial year)

Mr Easton asked the Minister for Regional Development how much his Department has spent on archeological digs in each of the last three years.
(AQW 35953/11-15)

Mr Kennedy: Details of my Department's spend on archaeological works in each of the past three years are set out in the table below. For completeness I have included figures for 2011/12.

Year	Spend on archaeological works (£K)
2011/12	95.0
2012/13	694.2
2013/14	1,151.9
2014/15 (to date)	343.2

It should be noted that these figures include the costs of archaeological investigation carried out in advance of the road construction, archaeological works carried out during the road construction contract and the post excavation process (carbon dating / preservation/recording/ production of archaeological reports etc).

Mr Easton asked the Minister for Regional Development what discussions are on-going to resolve the impasse between his Department, Ards Borough Council and the Crown Estates on the new sewage pumping station at Millisle.
(AQW 35982/11-15)

Mr Kennedy: Legal negotiations and site purchasing processes in relation to the new pumping station at Millisle have been taking longer than anticipated. NI Water is unaware of an impasse but continues to engage with all the parties in order to complete the process as quickly as possible.

Crown Estates must transfer a strip of land to Ards Borough Council prior to NI Water purchasing the entire site from the Council. Lands & Property Services are currently working with Crown Estates' commercial agents to assess the value of the land before any purchase can take place.

Mr Easton asked the Minister for Regional Development what is the cost of upgrading a sewarage system.
(AQW 35984/11-15)

Mr Kennedy: The cost of upgrading sewerage systems varies greatly depending on the size of the system to be upgraded and the extent of the work required. NI Water currently operates approximately 15,000 km of sewers and during 2013/14 replaced or upgraded approximately 25km of sewers.

NI Water does not usually upgrade sewerage systems in their entirety, rather work is targeted at resolving particular issues in parts of the systems through base maintenance work, taking action to improve discharges thereby improving water quality and enhancing capacity. Individual projects will usually involve a combination of these types of work.

As an example the current upgrade to the sewerage infrastructure in the Bangor area has cost an estimated £3m to date and has involved the upgrading of sewers, construction of a new pumping station and providing extra storage capacity for times of heavy rainfall.

Mr Easton asked the Minister for Regional Development whether any interested parties are in discussions to buy Donaghadee bus station.
(AQW 35985/11-15)

Mr Kennedy: Translink has advised that the former Donaghadee bus depot is currently going through the D1 Land and Property Services disposal process and two public sector bodies have shown initial interest.

Both parties are doing initial due diligence exercises.

Mr Weir asked the Minister for Regional Development to outline the implications for councils of the transfer of off-street car parks; and what investment will be required to bring the car parks up to the required standard.
(AQW 36009/11-15)

Mr Kennedy: The transfer of off-street car parks to councils will necessitate them acquiring the necessary powers to create and dispose of off-street car parks and to enable them to carry out enforcement activities. The Off-Street Parking (Functions of District Councils) Bill will provide district councils with these powers. It would:

transfer to councils certain powers under the Road Traffic Regulation (Northern Ireland) Order 1997; and

provide councils with decriminalised powers of enforcement under the Traffic Management (Northern Ireland) 2005.

Councils will also need to obtain the necessary assets to execute the related parking function and this will be effected by means of a transfer scheme to be made under Section 122 of the Local Government Act (Northern Ireland) 2014.

Councils will be empowered to operate off-street car parking, however, my Department has offered councils the option to utilise its contracts and arrangements up until at least October 2016, to operate and manage car parking on their behalf should they wish to do so.

Car parks are maintained to an appropriate standard and will continue to be operated by my Department until 31 March 2015.

Mr Craig asked the Minister for Regional Development, pursuant to AQW 30061/11-15, for an update on the progress by Transport NI and NI Water on the Drumbeg Mews development in Lisburn, following the serving of an Article 11 notice on the developer on 8 June 2010; and when this issue will be concluded.
(AQW 36034/11-15)

Mr Kennedy: I have been advised the Developer failed to complete the storm sewer serving the development at Drumbeg Mews in Lisburn.

Northern Ireland Water has completed a technical and economic assessment of a number of solutions to resolve the uncompleted storm sewers within the development. This involved the design of a dedicated storm outfall sewer to serve Drumbeg Mews and a number of other adjacent developments at this location. The detailed design and estimated costs are currently under review.

Northern Ireland Water's programme is to decide on a final solution within the next four weeks and, subject to the necessary finance being made available, it proposes to undertake the work to bring the sewers up to an adoptable standard during this financial year and commence the project at the earliest opportunity.

In order to avoid nugatory work, the final road surface cannot be progressed until the issues regarding the sewers within the development have been resolved. All other outstanding matters have been addressed. My officials have continued to correspond with their counterparts in Northern Ireland Water at quarterly meetings to receive updates on the design process.

Mr McKay asked the Minister for Regional Development whether TransportNI will provide signage for A26 traffic for the Ballymena Park and Ride at the Balee Roundabout.
(AQW 36048/11-15)

Mr Kennedy: The Ballee park and ride site is an existing facility which is well established and well used, on the Antrim Road out of Ballymena, on the Ballymena to Belfast transport corridor.

I can confirm existing signage for the car park accords with my Department's current policy, which states the facility should be signed from the nearest A or B class road which, in this case, is adjacent to the car park.

Mr Campbell asked the Minister for Regional Development in how many instances during the past month has his Department been unable to repair non-functioning streetlights due to resource limitations.
(AQW 36049/11-15)

Mr Kennedy: Following the outcome of June monitoring, my Department is facing a significant budget shortfall. Consequently, I have had to take the difficult decision to suspend work by external contractors to repair street lights that fail, unless they pose an electrical or structural hazard.

My Department's in-house Operations and Maintenance staff will strive to deal with as many street lighting defects as possible, giving priority to electrical and structural safety defects, followed by large group light outages, smaller groups and then individual street lights.

As of 19 September, my Department was aware of approximately 5,300 street lights that were not functioning.

Mr Easton asked the Minister for Regional Development how many potholes have been repaired in North Down over the last three years.
(AQW 36051/11-15)

Mr Kennedy: For record purposes, my Department groups together the number of surface defects which are identified during cyclical safety inspections, reports from members of the public and elected representatives.

The data below indicates repairs associated with potholes, kerb/ flagging defects and ironwork carried out on footways and carriageways within North Down:

Year	Number of Surface Defects
2011/12	3719
2012/13	4705
2013/14	3262

Lord Morrow asked the Minister for Regional Development how many times since May 2011 has he transferred an Assembly Question to a Freedom of Information request; and of these, to detail (i) the number that resulted in the supply of the requested information; (ii) who provided the advice regarding the transfer and whether the departmental solicitor was

involved; (iii) when this procedure became departmental practice; and (iv) whether the relevant Member was advised of this procedure in advance of the transfer.
(AQW 36065/11-15)

Mr Kennedy: Since taking up my post in May 2011 I have never transferred an Assembly Question to a Freedom of Information request.

Mr Cree asked the Minister for Regional Development for his assessment of the potential obstacles in the disposal or maintenance of redundant reservoirs.
(AQW 36107/11-15)

Mr Kennedy: NI Water considers that the only potential obstacle it faces in disposing of redundant reservoirs is that the location of some reservoirs could mean there will be limited demand for them, especially in the current economic climate.

NI Water is continuing to fulfil its responsibilities in respect of maintaining redundant reservoirs and is not aware of any potential obstacle that would prevent it from doing so.

Mr Cree asked the Minister for Regional Development to outline any plans for the disposal of NI Water's redundant reservoirs.
(AQW 36109/11-15)

Mr Kennedy: In accordance with the terms of its operating licence, NI Water has an obligation to dispose of assets that are no longer of use and 24 reservoirs have been identified for disposal during the current financial year.

NI Water appreciates the potential for local community use through continued public ownership and it agreed to offer these reservoirs to the public sector in the first instance, to determine any expressions of interest, prior to advertising them for sale on the open market. Expressions of interest were invited from the public sector in accordance with the Department of Finance and Personnel's Disposal of Surplus Public Sector Property in Northern Ireland guidance document.

Expressions of interest have now been received for several reservoirs and NI Water will be meeting with the interested parties in the near future with a view to progressing sales to public sector bodies. Where no clear expression of interest has been received from the public sector, NI Water will consider the potential for selling on the open market and advertise accordingly.

Mr Cree asked the Minister for Regional Development whether any grant funding is available to local councils to assist them in the procurement of redundant reservoirs.
(AQW 36110/11-15)

Mr Kennedy: The Department for Regional Development does not provide grant funding to assist with the purchase of redundant reservoirs.

Mr Easton asked the Minister for Regional Development what new rail routes are being considered by his Department.
(AQW 36119/11-15)

Mr Kennedy: I set out my strategic direction for railways investment over the next 20 years in the Railway Investment Prioritisation Strategy, which I published in May of this year.

The Strategy includes proposals for feasibility studies of extensions to the network west along the road network on the A6 towards the Castledawson roundabout and along either the M1/A4 or A3/A29 corridors in the vicinity of Dungannon and Armagh. Also, the feasibility will be considered of re-opening the Antrim to Knockmore line, 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.

Progress in implementing the Railway Investment Prioritisation Strategy will depend upon the resources made available in future budget rounds.

Mr Easton asked the Minister for Regional Development to detail the operating costs of NI Railways in each of the last three financial years.
(AQW 36120/11-15)

Mr Kennedy: The cost of sales reported in the NI Rail accounts is as follows:

	2013/14 £'000	**2012/13 £'000**	**2011/12 £'000**
NI Railways	60,361	58,199	54,929

Note: Operating costs exclude costs included in the cost of sales figures.

Mr Easton asked the Minister for Regional Development how many trains are currently operated by NI Railways.
(AQW 36121/11-15)

Mr Kennedy: Translink has advised that NI Railways currently operate a fleet of:

- 23 x 3-car Class 3000 units; and
- 20 x 3-car Class 4000 units.

During peak times, Monday to Friday, Translink has advised that there will typically be 37 train units in service.

In addition NIR operate two locomotive-hauled Enterprise trains on the Belfast-Dublin route. Each train contains seven passenger coaches.

Mr Easton asked the Minister for Regional Development how much his Department provides in subsidies to NI Railways.
(AQW 36122/11-15)

Mr Kennedy: In 2013/14 the Department provided £21.7m of revenue subsidies and £22.3m of capital subsidies. Combined these subsidies account for 70.1% of the total NI Railways turnover figure for 2013/14.

By comparison the 2011/12 NIR accounts show that the Department provided £23.9m of revenue subsidies and £19.4m of capital subsidies. Combined this accounts for 76.7% of the turnover figure.

Similarly, looking at a five year comparison, the 2009/2010 NIR accounts show that the Department provided £23.6m of revenue subsidies and £16.5m of capital subsidies. Combined this accounts for 77.3% of the total turnover figure for the year.

The amount of revenue subsidy does not include Concessionary Fares support as this is subsidy to the passenger, not to the operator, and is provided by way of reimbursement.

Mr Easton asked the Minister for Regional Development how many staff are currently employed by NI Railways.
(AQW 36123/11-15)

Mr Kennedy: Translink has advised that as at 31 August 2014, 929 staff were employed by Northern Ireland Railways.

Mr Weir asked the Minister for Regional Development what guidance is provided to drivers in relation to the drop-off locations for passengers of the Door-2-Door Transport scheme,
(AQW 36148/11-15)

Mr Kennedy: The Door-2-Door transport scheme ceased operating on 31 March 2013 and an interim service operated by Disability Action and known as the Disability Action Transport Scheme (DATS) started on 1 April 2013.

Disability Action, who has operational responsibility for DATS, has carried out a review of the various pick-up and drop-off points and has instructed its drivers to only pick-up or drop off passengers at set locations which take account of the safety of the passengers, members of the public, other road users and the driver. Passengers are advised of these arrangements when booking their trips.

In circumstances where a passenger requests an alternative pick-up or drop-off location, Disability Action will consider the request; however the safety of all concerned is the deciding factor.

I understand that you contacted Disability Action directly on this issue and that it replied to you on 9 September 2014.

All Disability Action drivers have been MiDAS trained (the Minibus Driver Awareness Scheme), which emphasises the importance of being mindful to the safety of other road users in addition to personal and passenger safety. Drivers should not pick-up or set down passengers where they are likely to cause an obstruction or safety hazards for others.

Mr McAleer asked the Minister for Regional Development to provide details, including the date of commencement, of scheme 61817/U1701 Ballynamullan Bridge, Farmhill Road, Omagh.
(AQW 36158/11-15)

Mr Kennedy: The work planned at Ballynamullan Bridge on the Farmhill Road in Omagh consists of strengthening the existing masonry arch structure and providing an arch extension on the downstream side of the bridge. This work will improve the road geometry at this location by providing a 6 metre wide road to allow vehicles to pass and will provide a section of footway in the vicinity of the bridge.

It is hoped that work on this scheme will begin on the ground during January 2015.

Mr McGlone asked the Minister for Regional Development for a breakdown of the work carried out by Enterprise Managed Services Ltd on behalf of NI Water in 2008/09, including the amount paid for each element of the contract.
(AQW 36182/11-15)

Mr Kennedy: In 2008/09 Enterprise Managed Services Ltd carried out work to the value of £2,505k for Northern Ireland Water under the Meter Survey and Installation Contract that had been awarded to them following a competitive market tender process. The work carried out and the amount paid for each element is provided in the table below.

Item Description	Amount Paid
Property survey	£120k
Combined survey and meter installation	£1,721k
Meter installation at new build properties	£309k
Streetworks Notification	£43k
Meters and ancillary metering supplies	£312k

Mr McKay asked the Minister for Regional Development for an update on the works planned for the A26.
(AQW 36185/11-15)

Mr Kennedy: My Department is continuing to progress the procurement of the A26 Dualling scheme. My officials are currently assessing tender submissions, and it is anticipated that construction could commence in late 2014.

Mr Easton asked the Minister for Regional Development what is the annual cost of electricity to power the street lighting network.
(AQW 36216/11-15)

Mr Kennedy: Information on the cost of electricity for street lighting for the current financial year is commercially sensitive, however, I can confirm the cost of electricity to power the street lighting network in 2013/14 was £10.6 million.

Mr Ó hOisín asked the Minister for Regional Development why phase 2 of the Derry-Coleraine rail scheme has been delayed beyond the end of 2015.
(AQW 36311/11-15)

Mr Kennedy: The matter was raised previously in AQW 32620/11-15 (April 2014).

The initial Procurement Strategy for the Coleraine to Londonderry Renewals Project Phase 2 would have seen the Signalling & Telecomms elements of the works designed and delivered by one contractor as a single appointment Design and Build Contract. The pre-qualification questionnaire and process for this approach resulted in suitable responses from three separate contracting teams. However, the tender process produced only one bidder. The Project Team and Translink Board concluded that the single tender did not offer value for money. As a result, it re-considered its Procurement Strategy and revised it so that the design and build elements would be taken forward separately.

The difficulties encountered with the first procurement process have resulted in a delay to Phase 2 completion. Translink previously reported the delay in September 2013 and I expressed my disappointment to the Assembly at that time.

Mr Cree asked the Minister for Regional Development for an update on Portavoe Reservoir, given that works have now been completed.
(AQW 36330/11-15)

Mr Kennedy: NI Water's essential reservoir safety maintenance work at Portavoe Reservoir was completed in early August 2014, and since then the reservoir has been refilling naturally.

Over 400 live swan mussels were successfully returned to the reservoir on 5 August 2014 and the reservoir is to be stocked with fish in the New Year, in advance of the 2015 angling season. NI Water will continue to work closely with the Department of Culture Arts and Leisure and the Northern Ireland Environment Agency to monitor progress at the site.

Ms Boyle asked the Minister for Regional Development, in light of the serious incident on 22 September involving a Translink bus transporting children from Castlederg to school, whether there is any early indication as to the cause of the accident; and what lessons can be learned.
(AQW 36339/11-15)

Mr Kennedy: I would like to put on record my sincere best wishes for all those affected by this incident particularly the children and their families. I would also like to put on record my thanks to the Translink bus driver and the Emergency services who acted so promptly to deal with the situation.

I am advised that at 08.20 on 22 September the Translink 96H service from Castlederg, with 55 passengers on board, collided with a car on the Omagh Road Drumquin, resulting in both vehicles going off the road and the bus ending on its side. All passengers were evacuated via the broken rear windscreen. Buses following also stopped to offer assistance. I am further advised that the Translink driver rang the emergency services and that the PSNI, Ambulance Service and Fire Services all attended the scene, 48 people were transferred to hospital including both the Translink driver and the car driver. A medic and PSNI Officer travelled with the children. I understand there were no critical injuries. The bus and car are extensively damaged.

My Department was informed of the incident by Translink and I understand the responsible authority for school transport in the area (Western Education and Library Board) was also informed. As you would expect the incident will be subject to a full investigation by the PSNI and it would not be appropriate for me to comment further at this time. Clearly the safety of bus passengers including school children must be of paramount concern to myself, the Minister for Education and the bus licensing authorities. I believe it would be best to await the outcome of that investigation before drawing conclusions or determining lessons learned.

Mr Frew asked the Minister for Regional Development for an update on the investments his Department plans on make in Ballymena Railway and Bus Station.
(AQW 36398/11-15)

Mr Kennedy: Translink has advised that there is no change in position since the matter was raised previously in AQW 34407/11-15 (July 2014) and AQW 35379/11-15 (September 2014).

The refurbishment of Ballymena Bus and Rail Integrated Station has commenced project scoping and feasibility review. The project is included in Translink's Corporate Plan and is scheduled for execution during 2016/17 and 2017/18 financial years, subject to the successful conclusion of the approval process and securing of the necessary funding.

Department for Social Development

Mr Copeland asked the Minister for Social Development to detail the number of people on the Common Waiting List for social housing as of 1 September in each of the last ten years, broken down by local council area.
(AQW 35867/11-15)

Mr McCausland (The Minister for Social Development): The information is not available in the format requested: The Housing Executive advises that it cannot provide the data at 1 September as they do not report on that timeframe. They have however provided the information in the table attached detailing the number of people on the Common Waiting List as at 31 March for each of the last ten years, from 2005 to 2014.

District Council	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Antrim Borough Council	737	792	979	1,038	991	972	977	852	992	961
Ards Borough Council	1,194	1,276	1,525	1,671	1,682	1,706	1,811	1,486	1,690	1,741
Armagh City & District Council	584	659	828	841	797	760	802	708	851	745
Ballymena Borough Council	1,082	1,254	1,411	1,622	1,530	1,420	1,520	1,256	1,564	1,482
Ballymoney Borough Council	327	392	477	539	497	439	496	390	481	467
Banbridge District Council	421	508	674	695	698	665	677	479	581	576
Belfast City Council	7,908	8,220	9,070	9,936	10,017	9,941	10,178	8,773	10,486	10,259
Carrickfergus Borough Council	849	916	1,007	1,073	1,032	994	974	818	962	918
Castlereagh Borough Council	990	1,060	1,150	1,354	1,371	1,367	1,462	1,167	1,318	1,235
Coleraine Borough Council	913	1,034	1,234	1,427	1,292	1,219	1,297	1,026	1,308	1,275
Cookstown District Council	310	326	367	382	408	371	407	362	400	358
Craigavon Borough Council	1,366	1,444	1,769	2,030	1,974	1,755	1,922	1,607	2,028	1,835
Derry City Council	1,813	1,993	2,157	2,417	2,418	2,574	2,993	2,762	3,286	3,376
Down District Council	928	1,027	1,166	1,297	1,292	1,213	1,323	1,250	1,601	1,617

District Council	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Dungannon & South Tyrone Borough Council	599	667	753	859	915	895	1,022	920	1,103	1,117
Fermanagh District Council	785	918	1,038	1,029	894	833	853	639	826	805
Larne Borough Council	390	380	505	518	526	509	550	406	490	452
Limavady Borough Council	403	474	522	569	521	497	472	372	508	479
Lisburn City Council	2,053	2,109	2,391	2,666	2,670	2,607	2,595	2,268	2,535	2,507
Magherafelt District Council	397	409	495	524	503	507	512	429	490	477
Moyle District Council	275	289	301	365	359	357	334	326	337	323
Newry & Mourne District Council	1,375	1,562	1,727	1,801	1,778	1,828	1,827	1,571	1,965	2,040
Newtownabbey Borough Council	1,313	1,459	1,578	1,825	1,726	1,691	1,743	1,514	1,817	1,737
North Down Borough Council	1,517	1,639	1,857	1,913	1,930	1,885	1,884	2,146	2,414	1,877
Omagh District Council	472	514	640	704	620	590	622	495	663	619
Strabane District Council	607	587	561	593	482	525	638	511	660	689
Total	**29,608**	**31,908**	**36,182**	**39,688**	**38,923**	**38,120**	**39,891**	**34,533**	**41,356**	**39,967**

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Ms Sugden asked the Minister for Social Development what communication his Department has had with Neighbourhood Renewal Projects in East Londonderry regarding departmental funding in the immediate to short term future.
(AQW 35999/11-15)

Mr McCausland: The project promoters of all currently funded Neighbourhood Renewal projects were written to in June 2014 confirming that they will continue to receive Neighbourhood Renewal funding, in line with their Contracts for Funding, up to 31 March 2015. Project promoters were also advised that from 1April 2015, under the Reform of Local Government, the new Causeway Coast and Glens Council will be responsible for urban regeneration and community development and will therefore take all decisions regarding funding from this date. This is dependent on the Executive agreeing to the immediate introduction of the Regeneration and Housing Bill and the legislation being in place by 31 March 2015.

Officials in my Department are assisting the shadow Council regarding its plans for regeneration and community development from 1 April 2015.

Mr Agnew asked the Minister for Social Development for his assessment of (i) the First Minister's view that non-implementation of Welfare Reform will cost £1bn per annum; and (ii) of the estimated additional annual cost of each social security programme which would emerge in the event that the Welfare Reform Bill was not enacted by the Assembly.
(AQW 36021/11-15)

Mr McCausland: The costs to Northern Ireland of not implementing Welfare Reform will continue to escalate the longer decisions are delayed, impacting the monies available for public services in Northern Ireland now and in the future.

The First Minister is right to set out the potential scale of the financial risks which Northern Ireland is facing and, as Minister for Social Development, I cannot disagree with his statement on the potential costs. The scale of the financial costs for each social security programme should the Welfare Reform Bill not proceed will largely be determined by decisions of the Executive on how it wishes in the future to deliver social security and tax credits for Northern Ireland claimants and by the level of the adjustments made by UK Ministers to the NI Block DEL as a result of not implementing welfare reform.

It would be remiss of me not to highlight the significant financial advantages that Northern Ireland has under the current social security arrangements. Over £6 billion of social security and tax credit spending is provided directly by HM Treasury

to Northern Ireland each year. The level of support is approximately £3.5 billion over and above the amounts derived is HM Treasury from the National Insurance Fund for Northern Ireland. Breaking parity puts this support potentially at risk.

I remain committed to and am working to secure agreement to implement Welfare Reform as I believe that this will deliver the best possible outcome for Northern Ireland.

Mr Clarke asked the Minister for Social Development for an update on social housing plans in South Antrim.
(AQW 36060/11-15)

Mr McCausland: In the South Antrim Parliamentary Constituency area there are five schemes totalling 77 units currently under construction. These are at:

- Ballydonaghy Road, Crumlin (Clanmil) - 39 family units
- 73 Islay Street, Antrim (Clanmil) - 1 family unit
- Ballyduff Primary School, Newtownabbey (OakleeTrinity) - 30 family units
- 103 Ballyeaston Road, Newtownabbey (Triangle) - 3 learning disability units
- 83 Ballyeaston Road, Newtownabbey (Triangle) - 4 learning disability units

In addition, the Social Housing Development Programme for 2014/15 - 2016/17 includes eleven new build schemes totalling 121 homes. These are at:

- 4-6 Main Street, Crumlin (OakleeTrinity) - 4 family units to start 2014/15
- Glenavy Road, Crumlin (Triangle) - 3 learning disability to start 2014/15
- Norfolk Court, Antrim (OakleeTrinity) - 12 mental health to start 2014/15
- The Old Mill, Crumlin (Clanmil) - 32 family units to start 2015/16
- Chaine Court, Ballycraigy (Fold) - 10 family units to start 2015/16
- Moylinney Closure (OakleeTrinity) - 24 mental health to start 2015/16
- Abbey Gardens, Antrim (Triangle) - 13 learning disability to start 2015/16
- 53 Mill Road, Crumlin (Clanmil) - 11 family units to start 2016/17
- Ballyduff Road, Carnmoney (Apex) - 6 family units to start 2016/17
- 19-23 Moss Road, Newtownabbey (Apex) - 6 family units to start 2016/17

Mr Allister asked the Minister for Social Development, pursuant to AQW 34987/11-15, for his assessment of course attendance not being mandatory; and whether he will ensure that the Northern Ireland Housing Executive changes its policy to ensure staff are properly trained.
(AQW 36093/11-15)

Mr McCausland: The Housing Executive has advised me that they will continue to ensure that their professional and administrative Human Resource (HR) staff remain knowledgeable and competent in the submission of applications for retirement to NILGOSC. Where attendance at a NILGOSC course is deemed necessary to maintain that the level of competence, this will be mandatory.

Lord Morrow asked the Minister for Social Development how many applications for Disability Living Allowance, for the Care Component and/or the Mobility Component, were declined without a medical examination, in each of the last three years.
(AQW 36137/11-15)

Mr McCausland: In most instances when determining entitlement to DLA, the evidence considered includes the completed claim form, reports from GPs and other Health Care professionals. However, in a small number of cases, the Agency may also request that its Medical Service Provider complete what is known as an Examining Medical Practitioner (EMP) report. This report gathers information on the diagnosis, the history of the condition, treatment and the severity and likely disabling effects of the condition on day-to-day living.

The table below shows the total number of Disability Living Allowance applications refused where an EMP report has not been sought by the decision – maker when determining the application. The information available is not broken down by Care and/or Mobility Component.

Year	Total Number of DLA Applications Refused (no EMP Report)
2011/12	8275
2012/13	7916
2013/14	7775

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Mr Copeland asked the Minister for Social Development, following recent concerns that have been raised, for an assurance that his Department is managing the offices of the Appeals Services effectively.
(AQW 36153/11-15)

Mr McCausland: The Appeals Service (TAS) is managed by the NI Courts & Tribunals Service of the Department of Justice, under the terms of a Service Level Agreement with this Department. TAS has the necessary procedural guides in place for staff and checking guides for management. It is also subject to standard governance arrangements, to include management checklists, assurance statements and risk registers, all of which are completed quarterly for senior management information and consideration in both Departments. This Department is managing the offices of The Appeals Service effectively

Mr Copeland asked the Minister for Social Development whether temporary ongoing transfers within the Civil Service can be used to ensure that Appeal Services offices are operating with only the necessary number of staff.
(AQW 36154/11-15)

Mr McCausland: There is no formal policy for temporary transfers within the NICS. Staff complements in both Appeals Service offices are kept under review to ensure appropriate staffing levels are maintained in line with business requirements, current workloads and future projections.

Mr Agnew asked the Minister for Social Development given that financial support can be accessed from the Green Investment Bank, what consideration has been given to including a district heating scheme in a social housing project.
(AQW 36162/11-15)

Mr McCausland: My Department has no plans to include a district heating scheme in a social housing project. Where existing estates are concerned the Housing Executive has already carried out feasibility studies and decided against. The main problem is that in existing estates many former social houses have been sold so there are insufficient properties in public ownership to make such a scheme viable and owner occupiers are generally reluctant to participate.

Where new schemes are concerned, housing associations have responsibility for determining the type of heating to be provided in their new developments. I would suggest that in the first instance you make contact with their representative body, the Northern Ireland Federation of Housing Associations (NIFHA). If NIFHA is interested in exploring a scheme of this nature my Department would be content to consider. NIFHA's Chief Executive is Mr Cameron Watt at cwatt@nifha.org

Mr McKay asked the Minister for Social Development what Housing Executive related works are planned for Broombeg in Ballycastle; and when these works will be completed.
(AQW 36184/11-15)

Mr McCausland: The Housing Executive has advised that Broombeg and Broombeg View are included in an External Cyclical Maintenance scheme with an estimated start date of early December 2014.

In addition, the following flats are included in a Health and Safety (Fire Doors) scheme which is currently programmed for Spring 2015: -

- Broombeg: Numbers 4, 5, 6, 7, 13, and 14
- Broombeg View: Numbers 3, 4, 9, 10, 14, 15, 16 and 17

Mr Frew asked the Minister for Social Development to outline the reasons why it is possible for a person to have more points allocated for housing in Rocavan Meadows, Broughshane than any other area of Ballymena.
(AQW 36200/11-15)

Mr McCausland: All applicants are assessed in accordance with the Housing Selection Scheme which is administered by the Northern Ireland Housing Executive. The housing assessment is based on the individual needs of the applicant and not locality. Therefore applicants for Rocavan Meadows would not have a higher level of points than applicants for other areas of Ballymena.

Lord Morrow asked the Minister for Social Development how many licences for a gambling premise are currently active, broken down by constituency; and to outline how this compares with 2009.
(AQW 36301/11-15)

Mr McCausland: Licensing of gambling activities is mainly the responsibility of the courts and district councils; my Department is responsible for the issuing of track betting licences.

My Department does not hold the information which has been requested regarding licences issued by courts or district councils. In respect of track betting licences, my Department has granted two licences for horse racing and two licences for greyhound racing.

The consultation 'Future Regulation of Gambling in Northern Ireland' carried out by my Department in 2011, and available on the Department's website, outlined the size of the industry here at that time. I would also refer the member to the answer provided to AQW 30097/11-15 in respect of the number of bookmaking office licences granted in 2008/09 and 2013/14.

Mr Allister asked the Minister for Social Development what engagement has there been with organisations representing the visually impaired in regard to the drafting of guidelines under the Licensing of Pavement Cafés Act (Northern Ireland) 2014.
(AQW 36355/11-15)

Mr McCausland: My Department was actively engaged in discussions with the Inclusive Mobility and Transport Advisory Committee (Imtac) throughout the drafting of legislation to regulate pavement cafés. Also, during the passage of the Bill relevant organisations gave evidence to the Social Development Committee about aspects of the regulatory framework including the preparation of guidelines.

My Department remains committed to engaging with Imtac on the content of the guidelines for the implementation of the Licensing of Pavement Cafés Act (Northern Ireland) 2014. Indeed, officials recently advised Imtac that they expect to be in position to approach the committee about the guidelines in the very near future.

Mr McElduff asked the Minister for Social Development whether his Department will increase support to assist with the development of a new masterplan for Omagh Town Centre, given that the development of the Lisanelly site will free up additional sites in the town for potential regeneration.
(AQW 36384/11-15)

Mr McCausland: A review of the Omagh Town Centre Masterplan has been commissioned by Omagh District Council and consultants have been appointed to take this forward. My Department had funded and launched the previous Masterplan in January 2009. Whilst I am fully supportive of this review of the Masterplan, due to funding pressure I cannot, at this time, offer any funding to the council to assist with the delivery of the review.

My Department has been developing Comprehensive Development Plan to for the area around Kevlin Avenue/Dublin Road. This work also involves examining the impact of sites that may be freed up with the re-location of the schools to the new School Campus at Lisanelly. Part of this project required a detailed traffic study (undertaken in conjunction with Roads Service with funding from DSD). This

Comprehensive Development Plan and its associated outputs will provide significant data to support the review of Omagh Town Centre Masterplan.

Mr P Ramsey asked the Minister for Social Development what checks his Department completes, in terms of verifying qualifications and establishing suitability for a role, when an organisation or project funded by his Department employs a member of staff.
(AQW 36417/11-15)

Mr Storey: In line with standard Government practice, the Department for Social Development (DSD) provides funding to organisations for salaried posts, not individuals. The Department is not the employer and therefore accepts no responsibility or liability for staff employed by an organisation to which it provides funding for salaried posts. The organisation is responsible for all matters in connection with the employment of its staff, including verifying qualifications.

When appraising an application for grant funding which includes expenditure for salaried posts, the Department requires the applicant to provide copies of the job descriptions for those posts and supporting evidence that each salary is in line with suggested duties, skills and level of responsibility of the posts, using the benchmark of comparable posts as set out in the National Joint Council (NJC) Pay

Scales. The Department also requires a declaration from the organisation's Chairperson that each post-holder has the relevant skills and experience to carry out the duties of their post effectively.

Mr Weir asked the Minister for Social Development to detail the comprehensive development schemes delivered in North Down, in each of the last five years.
(AQW 36421/11-15)

Mr Storey: During this period, my Department has been working on the Queen's Parade comprehensive development scheme in North Down as identified in the Bangor Town Centre Masterplan.

Mr Copeland asked the Minister for Social Development what measures are in place to safeguard those under the PSNI Witness Protection Scheme and current or former security personnel living in a Northern Ireland Housing Executive property.
(AQW 36441/11-15)

Mr Storey: The Housing Executive has advised that they do not have any particular measures in place for these groups but would deal with each case on an individual basis as required. In relation to the Witness Protection Scheme this is an operational matter for the PSNI and I would suggest the Member contacts the PSNI for further information on this.

Mr McGlone asked the Minister for Social Development to detail the number of people in Northern Ireland currently in receipt of (i) Attendance Allowance; and (ii) Pension Credit.
(AQW 36487/11-15)

Mr Storey: At May 2014, which is, the latest published figures there were;

53,210 Attendance Allowance recipients and (ii) 88,860 Pension Credit recipients.

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 I McCrea asked the Minister for Social Development to outline the current status of the Women's Centre Childcare Fund.
(AQW 36649/11-15)

Mr Storey: Contracts for the Women's Centres Childcare Fund programme have been issued for 2014/15 and it is not yet known whether these will be impacted by anticipated budget restrictions across DSD programmes.

Mr Copeland asked the Minister for Social Development to detail the total sum of compensation his Department is now facing in respect of defaulting on contractual obligations with Capita and Personal Independence Payments.
(AQW 36666/11-15)

Mr Storey: The failure to progress welfare reform is having serious financial implications for Northern Ireland which will increase the longer delays continue.

The contract with Capita for the provision of assessment services for claimants of Personal Independence Payment places obligations on both Capita and the Department. The total financial consequences for my Department should the Northern Ireland Executive decide not to implement the Personal Independence Payment can only be determined once any legal and commercial discussions have been concluded with Capita.

Mr Dunne asked the Minister for Social Development for an update on his Department's position on the revitalisation of Queen's Parade, Bangor.
(AQW 36745/11-15)

Mr Storey: My Department in partnership with North Down Borough Council undertook a Revitalisation Project on Queen's Parade with the aim of encouraging economic regeneration by encouraging increased footfall in the town centre. Project 24 has proved to be a major success and has built on the town's vibrant art and craft scene through the creation a new space for artists to work and display their art. Project 24 was developed on the basis that it would be an interim project while plans were being prepared for the comprehensive development of the Queen's Parade site by the Department after acquiring the site in early 2013.

In relation to the Queen's Parade development, a Consultancy Planning Team was appointed on 6 March 2014 and my officials in partnership with North Down Borough Council are currently working with the Consultancy Team to complete the additional land acquisition, statutory processes and Planning Approval by March 2015

Mr Copeland asked the Minister for Social Development, pursuant to AQW 35867/11-15, to detail the number of people who were classified as being in housing stress in each year.
(AQW 36746/11-15)

Mr Storey: The table attached provides details of the number of people who were in housing stress at 31 March in each of the last ten years by Council area.

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District Council	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Antrim	381	470	528	530	473	436	477	482	506	498
Ards	680	740	880	935	931	991	1,092	917	927	938
Armagh	269	280	337	367	311	281	302	333	375	308
Ballymena	496	646	755	873	803	806	880	835	967	880
Ballymoney	139	155	188	204	191	138	160	164	190	192
Banbridge	174	275	351	372	350	285	293	227	259	276
Belfast	4,569	4,923	5,389	5,767	5,814	5,731	5,927	5,752	6,130	5,976
Carrickfergus	409	445	532	561	517	494	497	478	559	500
Castlereagh	546	600	641	701	677	660	732	664	697	587
Coleraine	434	525	636	741	661	563	638	585	682	661
Cookstown	117	128	133	147	161	150	180	164	165	166
Craigavon	496	507	684	826	686	654	727	649	743	646

District Council	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Londonderry	1,067	1,124	1,219	1,373	1,439	1,466	1,765	1,905	2,195	2,250
Down	503	577	663	695	699	665	748	723	874	821
Dungannon	410	464	529	609	594	528	615	593	664	638
Fermanagh	418	517	567	559	431	360	346	252	302	292
Larne	144	145	193	195	167	142	177	146	157	168
Limavady	169	200	210	236	195	171	188	173	223	190
Lisburn	1,277	1,236	1,473	1,625	1,630	1,548	1,563	1,495	1,532	1,514
Magherafelt	186	201	276	310	272	256	244	238	231	194
Moyle	120	135	147	178	175	178	165	174	193	181
Newry & Mourne	744	924	1,071	1,107	1,102	1,026	960	912	1,156	1,213
Newtownabbey	688	825	929	1,011	892	902	940	939	1,072	1,019
North Down	730	842	978	1,011	1,006	958	960	1,077	1,193	1,047
Omagh	121	126	199	224	154	131	160	127	160	142
Strabane	240	213	195	204	150	175	230	207	262	289
Total	**15,543**	**17,233**	**19,708**	**21,364**	**20,499**	**19,716**	**20,967**	**20,211**	**22,414**	**21,586**

Mr Brady asked the Minister for Social Development for his assessment of the claim made in the recent Northern Ireland Council for Voluntary Action report that the implementation of Welfare Reform would remove £750 million from the economy.
(AQO 6716/11-15)

Mr McCausland: At the time of the publication of the report my predecessor was publicly critical the inaccuracies in the report and the negative impact it could have on people claiming benefit. My predecessor also met with NICVA to discuss his concerns regarding the analysis and the accuracy of the findings.

I have previously stated that the cost of £750million, which has been quoted by media commentators and political opponents of the Bill, does not reflect the cost of implementing the Welfare Reform Bill in Northern Ireland. The report includes costs of nearly £300 million arising from the changes which have already taken place in the tax and benefit system for example the move of the up rating of benefits from RPI to CPI and the restriction on tax credit income levels. The Executive nor the Assembly have devolved responsibility for the tax system and therefore have no control over these changes. The £750 million also includes over £100 million to be saved by moving people off long term sickness benefit which they have been receiving for many years and where, if they are deemed able, they are being asked to re-engage with the labour market. These people are an economically inactive group which the Executive is seeking to get back into work. This reassessment programme has already been completed and is not part of the bill. The report also takes no account of the positive financial impact of Universal Credit, enhanced childcare provision, the removal of hours limit and financial cliff edges which are prominent features of the current benefit and tax credit systems. I can therefore provide reassurance that the Welfare Reform Bill 2012 will not remove £750 million from the economy and as mentioned in the recent blog from the Chief Executive of NICVA, commentators have used the £750 million figure in a way that it suits them. As my predecessor stated in this Assembly “Let’s get the scare tactics off the table and have a genuine debate about how we implement welfare reform”.

Mr McAleer asked the Minister for Social Development to outline the flexibilities he has secured on the proposed introduction of the Under Occupancy Charge.
(AQO 6717/11-15)

Mr McCausland: While I am supportive of reform of the benefit system where it seeks to support people back into work and offer help to those who are genuinely in need of assistance, I am also very aware of the concerns people have about the Welfare Reform proposals and the need to protect the vulnerable in our society.

Under-occupation in the social rented sector exists for all sorts of reasons and I believe there that there are a number of challenges specific to Northern Ireland, which do require additional consideration. This includes the nature of our housing stock, the level of under-occupation and our concerns related to the segregated nature of our housing.

This makes managing under occupation here more difficult.

You will be aware that my predecessor met with Lord Freud on a number of occasions to ensure GB is fully aware of the specific circumstances here and has successfully negotiated a package of measures which will mitigate and ameliorate the more negative elements of the Westminster Welfare Reform package. This includes measures which are designed to assist existing tenants who would be specifically impacted by the Under Occupation provision.

The package of measures which my predecessor has negotiated needs to be agreed by the Executive .The continued deferral of Welfare Reform will result in increasingly significant financial implications for all of the devolved institutions here. For that reason it is incumbent upon us all in the Executive to demonstrate mature political leadership and reach consensus on how best to change the social security system rather than refusing to reform the system.

I cannot make these decisions on Welfare Reform alone.

Mr Maskey asked the Minister for Social Development, given the recent offer by the British government to Scotland of significant changes to Welfare Reform, what efforts he is making to negotiate similar changes.
(AQO 6718/11-15)

Mr McCausland: Proposals for devolution of any aspect of the social welfare system to Scotland from Westminster arising the Scottish 'No' vote is a matter for the UK government in consultation with the Scottish Executive. I am not aware that any offer has been made by the UK Government to make significant changes to either the social welfare system or the Welfare Reform Bill (UK) 2012, so I am therefore unable to comment on what changes I would be expected to carry out negotiations.

However, I have already successfully negotiated a package of measures in the best interests of the people of Northern Ireland which is the envy of every other region in the United Kingdom. This package needs to be agreed with the Executive and then brought to the Assembly to enable the Welfare Reform Bill in Northern Ireland to become law.

Mr Flanagan asked the Minister for Social Development whether his Department has engaged with any relevant stakeholders to identify the demand for supported housing for young people with special needs.
(AQO 6719/11-15)

Mr McCausland: Yes. My Department and the Housing Executive engage with a range of stakeholders to identify the demand for new supported housing services. This is done primarily through a joint commissioning structure in place with the Department of Health, Social Services and Public Safety, and Health and Social Care Trusts, to identify the need and plan for the delivery of housing support services for vulnerable and disadvantaged young people.

Within this partnership the relevant Health and Social Care Trust is responsible for the identification of demand for supported housing for young people with special needs.

Mr I McCrea asked the Minister for Social Development to outline the current levels of child maintenance payment arrears.
(AQO 6720/11-15)

Mr McCausland: The Child Maintenance Service has made significant progress in recent years, getting more money for more children and as a consequence reducing the arrears outstanding.

During 2013/14, over £27m was either collected or arranged, supporting 22,123 children across NI. This represents an extra £2.9 million for 731 more children than the previous year.

As a result, the arrears balance at 31 March 14 was £78.818m, some £2.691m less than reported for the previous year. The number of cases with a current liability, which were not paying fell from 2,616 to 1,629 during this same period, further underlining my commitment to better support separated families.

Mr Elliott asked the Minister for Social Development to outline the land currently owned by his Department that will be transferred to the new Fermanagh and Omagh District Council.
(AQO 6722/11-15)

Mr McCausland: My Department will transfer the relevant powers, budgets and physical assets associated with the delivery of the Regeneration and Tackling Deprivation functions, which will be the responsibility of the new councils under the Reform of Local Government.

The lands currently owned by my Department, which have been identified, for transferring to Fermanagh and Omagh District Council are:

- Grosvenor Military Barracks
- Lay-by at Slater's Cross, Belleek
- Lay-by and amenity area Main Street, Belleek (maintained by Council)
- Car Park at Cliff Road
- Old Customs Post, Tullyhommon (maintained by Council)
- Tullyhommon-Landscaped Area (maintained by Council)

Car Park site Main Street, Carrickmore (adopted by DRD)

It is important to note that the transfer of the above lands maybe subject to further change as my Department will continue to progress regeneration activities up to the date that operational responsibility transfers to the new councils.

Mr Rogers asked the Minister for Social Development for his assessment of the Supporting People programme, including performance against the 2014 targets.
(AQO 6723/11-15)

Mr McCausland: The Supporting People programme has been in operation for over ten years and my Department is currently conducting a policy and value for money review of the programme.

Supporting People has provided housing advice to help some of the most vulnerable people in our society to live as independently as possible. The programme has been instrumental in assisting with the Department of Health's resettlement programme, moving vulnerable people from long stay institutions into independent living in the community. The 2014 target of assisting 17,000 vulnerable people to live independently is currently on target to be achieved.

Unfortunately, the large hole in our public finances has budgetary implications for services like Supporting People which helps to meet the needs of some of the most vulnerable in our society. While I will do what I can to protect important services such as Supporting People, this will be extremely difficult unless all the parties reach consensus on issues such as Welfare Reform and the budget.

Mr P Ramsey asked the Minister for Social Development to outline the impact that the changes in the budget and criteria for departmental grant aid are having on the voluntary and community sector.
(AQO 6724/11-15)

Mr McCausland: There have been no recent changes to funding commitments made by my Department. All projects currently in receipt of funding will continue to do so in line with their Contracts for Funding, up to 31 March 2015.

However, budget reductions are anticipated in future years and may result in significant financial pressures. My officials are in the process of considering the priorities across all of the programmes currently being delivered.

Northern Ireland Assembly Commission

Mr Wells asked the Assembly Commission, pursuant to AQW 35242/11-15, to detail (i) the total cost of sending letters to MLAs regarding their pension entitlements during 2014; and (ii) whether a less expensive means of transmitting this information to MLAs is being considered.
(AQW 36190/11-15)

Mrs Cochrane (The Representative of the Assembly Commission): During 2014, letters were issued to MLAs regarding their pension entitlements by post on two occasions. As noted in the response to AQW 35242/11-15, these letters were classified as 'Restricted' under the Assembly's Information Assurance Policy due to the personal and financial information contained in them. Due to the timing of the issue of the letters they were sent to Members' home addresses via Royal Mail Recorded Delivery rather than leave them in Members' pigeon holes during recess.

(i) The total cost of issuing the two letters to Members was £362.92.

(ii) These letters would routinely be distributed to Members via their pigeon holes in appropriately marked envelopes thus avoiding postage expenses. This is the preferred option.

Mr Flanagan asked the Assembly Commission to detail the estimated cost of the Equality Impact Assessment (EQIA) on the Review of the Policy on the Flying of the Union Flag at Parliament Buildings.
(AQW 36458/11-15)

Mrs Cochrane (The Representative of the Assembly Commission): The estimated cost of the Equality Impact Assessment on the Policy Review of the Flying of the Union Flag at Parliament Buildings is £14,500. Consultancy costs total £11,500 and £3,000 will be spent on advertising costs which forms part of the formal public consultation process.

Northern Ireland Assembly

Friday 10 October 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Campbell asked the First Minister and deputy First Minister what progress is being made on resolving the issues which arose from the Haass discussions.
(AQO 5493/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): There is currently no agreement on the process to deal with the issues arising from the Haass discussions.

Mr Ross asked the First Minister and deputy First Minister for an update on their forthcoming overseas trade missions.
(AQO 6277/11-15)

Mr P Robinson and Mr M McGuinness: Plans are being made for a visit to China. The programme will include the official opening of the Executive's Bureau Office in Beijing and a series of meetings at senior Government level. The visit will coincide with an Invest NI Trade Mission to China and we plan to support a number of events associated with the Trade Mission during the week.

Securing international projects requires long-term relationship building and raising awareness of the many advantages of investing in our local economy. We will continue to work with Invest NI in targeting countries and organisations in an effort to secure trade and investment opportunities.

Ms Sugden asked the First Minister and deputy First Minister, of the £26m allocated to six Signature Programmes under the Delivering Social Change framework, what proportion of funding has been allocated to delivering benefits for people with disabilities.
(AQW 35915/11-15)

Mr P Robinson and Mr M McGuinness: The Delivering Social Change framework was set up by the Northern Ireland Executive to tackle poverty and social exclusion. It represents a new level of joined-up working by Ministers and senior officials across departments to drive through initiatives which have a genuine impact on the ground.

The framework aims to deliver a sustained reduction in poverty and associated issues across all ages and to improve children and young people's health, well-being and life opportunities thereby breaking the long term cycle of multi-generational problems.

In line with the identified key priorities we announced, in October 2012, a £26m package of six Delivering Social Change Signature Programmes which focus on early interventions.

The Signature Programmes were set up to improve literacy and numeracy levels, offer increased family support and to support job creation within local communities – all of which were identified as being key priorities.

Whilst each of the six signature programmes has the capacity to positively impact on people with disabilities, we are unable to specify the proportion of funding within each that directly supports this group.

Mr Campbell asked the First Minister and deputy First Minister whether discussions will be held with other governments regarding any changes which may follow from the recent Scottish Referendum result, in how the workings of the British-Irish Council may operate under future administrations.
(AQW 36210/11-15)

Mr P Robinson and Mr M McGuinness: The operation of the British-Irish Council is kept under review. Any changes arising from the result of the Scottish Referendum which would have implications for the Council would be the subject of collective discussion by its member administrations.

Mr Lyttle asked the First Minister and deputy First Minister what action has been taken on the current 10 year strategy for children and young people; and the new strategy due in 2016.
(AQW 36519/11-15)

Mr P Robinson and Mr M McGuinness: The current ten year Strategy for Children and Young People provides the overall strategic direction to departments, agencies and arm's length bodies for the Executive's work in relation to all aspects of the lives of children and young people. This can be seen for example in the delivery of children's health and social services, childcare, education and employment.

In addition, since 2012, the Delivering Social Change (DSC) framework which seeks to address the linked issues of child poverty, social disadvantage and improving children's lives has also contributed significantly to the achievement of the objectives set in the ten year Strategy.

In July 2014, a decision was taken to develop a separate Child Poverty Strategy 2014-2017 (in accordance with the Child Poverty Act 2010), and to engage further with stakeholders and departments in the development of a new strategy to replace the current Strategy for Children and Young People when it ends in 2016. This process will involve children and young people; parents and representative community and voluntary organisations.

Mr Lyttle asked the First Minister and deputy First Minister for an update on the work undertaken by UNESCO on the child rights indicators.
(AQW 36521/11-15)

Mr P Robinson and Mr M McGuinness: UNESCO has provided a draft report to the Department setting out the findings from their study on the development of a Child Rights Indicator Framework here. The Department has now considered the draft report and will meet with UNESCO shortly to discuss the development of the final report. Officials will then arrange a meeting of the Project Reference Group to present the final report and to discuss how the findings can be taken forward.

Mr Lyttle asked the First Minister and deputy First Minister for an update on the children's budgeting pilot.
(AQW 36602/11-15)

Mr P Robinson and Mr M McGuinness: The Children's Commissioner has recently contracted the Social Research Unit (SRU) in Dartington to carry out research into investment in children across the Executive. Following recent discussions with the sector, it was agreed that this research would be critical in informing the approach we take to any budgeting pilot.

SRU has now completed a trawl of departments and a meeting is being arranged with SRU and with the Commissioner to review progress to date and to discuss how their work can inform our approach. We will then meet with representatives from the children's sector to take their views on the way ahead.

Mr Lyttle asked the First Minister and deputy First Minister for an update on the new children's strategy, including (i) the stakeholders approached to co-design the strategy; and (ii) the actions taken to take the design forward.
(AQW 36605/11-15)

Mr P Robinson and Mr M McGuinness: As indicated in our response to AQW 36519/11-15, we are in the early stages developing a new children's strategy which will replace the current 10 year Children and Young People's Strategy when it expires in 2016. At this stage we are still in the process of identifying stakeholders and will consult with them fully as we move forward.

Ms Sugden asked the First Minister and deputy First Minister for their Department's definition of an 'older person'.
(AQW 36819/11-15)

Mr P Robinson and Mr M McGuinness: The Department is currently in the process of finalising its Active Ageing Strategy, which was subject to public consultation earlier this year. For the purposes of the Strategy, an older person is defined on the basis set out in the Commissioner for Older People Act (Northern Ireland) 2011.

The Act defines an older person to be a person aged 60 or over; however, in particular circumstances, a person aged 50 or over can also be categorised as an older person.

Mr Sheehan asked the First Minister and deputy First Minister to outline the progress that is being made in Delivering Social Change.
(AQO 6743/11-15)

Mr P Robinson and Mr M McGuinness: Delivering Social Change provides a framework to foster a more effective cross departmental working approach to tackle poverty and social exclusion. It is a more streamlined and joined up method to ensure tangible and sustainable outcomes for those most in need.

The benefits of Delivering Social Change are illustrated by the multi-departmental, multi-agency and multi-sectoral implementation of key cross-cutting signature programmes. Considerable progress is being made in achieving positive outcomes through the delivery of these programmes.

Not only are they already seeing tangible outcomes on the ground, they will inform joined-up and evidence-based policies that will, in time, provide a significant influence on mainstream programme expenditure.

We announced last month the development of three further signature programmes being developed in partnership with, and co-funded by, Atlantic Philanthropies. These programmes will focus on Dementia, Early Intervention and Shared Education and are a positive example of collaborative working to improve the lives of those who need it most.

Looking to the future, using a co-design process with stakeholders, a new Delivering Social Change Strategy for Children and Young People post-2016 will be developed. This is another example of a new way of working under Delivering Social Change.

The Executive is also working on a longer term approach to improve the quality of life for our communities in the areas of health, education, employment, family and community cohesion. The outcome of this work will be a framework for future social policy interventions and investment plans.

The Executive remains committed to Delivering Social Change to tackle poverty and social deprivation.

Mr McElduff asked the First Minister and deputy First Minister for an update on Delivering Social Change for Children and Young People.
(AQO 6745/11-15)

Mr P Robinson and Mr M McGuinness: Following consultation with stakeholders we took the decision in July to move forward separately the work on the Child Poverty Strategy 2014-2017 and Delivering Social Change for Children and Young People. The Ten Year Strategy for Children and Young People will continue until 2016.

We propose to work with stakeholders using a co-design process to develop a new strategy for Children and Young People post 2016, and this work will begin shortly.

Department of Agriculture and Rural Development

Mr Swann asked the Minister of Agriculture and Rural Development to provide the business case for her Department's tree felling programme.
(AQW 36375/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The Forestry Act (2010) places a duty on the Department and provides the powers to operate a forestry programme, which includes felling of trees, in line with best practice sustainable forestry management standards. My Department's Forest Service prepares annually a Business Plan in which the extent of that felling programme is set out together with the costs and revenues planned for the delivery of the forestry programme. The annual Business Plan is prepared and targets are approved in the context of the Programme for Government and in compliance with expenditure and income budgets secured for the Spending Review period.

Mr Easton asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister for Regional Development to ensure that farmers are better prepared for severe weather.
(AQW 36473/11-15)

Mrs O'Neill: I have had no discussions with the Minister for Regional Development regarding preparing farmers for severe weather.

There are a number of steps farmers can take in preparation for extreme winter weather. Many of these steps are normal management practice for the vast majority of farmers but I would encourage all farmers to reassess them now before the winter sets in.

Farmers should also keep a close check on weather forecasts and make appropriate adjustments where severe weather is expected. Measures such as moving stock to less exposed fields and securing vulnerable buildings are basic steps that would help lessen the effects of severe weather. Farmers are also advised to check and consider the insurance cover they have for livestock and farm buildings.

CAFRE will reinforce the message and present practical information to farmers on preparing for winter in the coming weeks through press articles and the DARD website.

Mr Easton asked the Minister of Agriculture and Rural Development to detail the number of animal cruelty cases reported to her Department, in each of the last three years.
(AQW 36474/11-15)

Mrs O'Neill: The welfare of animals here is protected by the Welfare of Animals Act 2011. It contains a range of offences including those relating to activities which may cause animals to suffer unnecessarily. However, it does not contain an offence specifically referred to as 'animal cruelty'.

My Department is responsible for investigating animal welfare cases in respect of farmed animals. Often cases do not, upon investigation, reveal unnecessary suffering. However, it is important to note that all complaints are treated seriously regardless of the nature of the allegation.

The figures for farmed animals provided in Table 1 relates to the number of farm animal welfare inspections carried out in response to welfare complaints received by my Department's Veterinary Service in the last three years.

Table 1 Farm Animal Welfare Inspections

Year	No of Reported Inspections
1Sept 2011-31August 2012	113
1 Sept 2012-31August 2013	147
1 August 2013- 31August 2014	176
Total	**436**

Mr Agnew asked the Minister of Agriculture and Rural Development, pursuant to AQW 34582/11-15, whether Forest Service did not grant any approvals for Infastrata or agree to any work to be undertaken at this site.
(AQW 36498/11-15)

Mrs O'Neill: The land on which Infrastata plan to undertake works is not on land owned by my Department, it is on land owned by NI Water. Forest Service has not granted any approvals or authorised the works.

Mr Agnew asked the Minister of Agriculture and Rural Development to detail all the correspondence with Forest Service regarding the proposal to drill an exploratory well at Woodburn Forest.
(AQW 36499/11-15)

Mrs O'Neill: My Department's Forest Service manage trees on land at Woodburn Forest, which is owned by NI Water. Consequently Forest Service has received and responded to numerous correspondence and requests in relation to Infrastrata's proposals to carry out exploratory drilling works at Woodburn Forest. The corresponding parties involved are: Infrastrata PLC (and their agents RPS and Jet PR), NI Water, members of the public and elected representatives.

Correspondence with Infrastrata and its agents relate to requests for meetings and clarification of the various departments' roles in this matter. Details of permissions, project proposals, public communication plans and technical matters, have been received by Forest Service and include copies of correspondence exchanged between Infrastrata and NI Water, DETI, and DOE Strategic Planning Division.

Forest Service has corresponded with NI Water relating to their role as landowner of the forest area, and with DETI regarding clarification of the role of DOE Planning Service in respect of Environmental Impact Assessment processes for forestry land. In addition Forest Service has dealt with correspondence from members of the public on two occasions, and with elected representatives also on two occasions. This has included the release of documents under FOI.

Miss M McIlveen asked the Minister of Agriculture and Rural Development to detail all cultural, language and heritage projects supported by the Rural Development Programme, including the amount awarded to each project, since 2011.
(AQW 36502/11-15)

Mrs O'Neill: The Quality of life Axis (Axis 3) of the Rural Development Programme 2007-13 has awarded £7.2m to support 94 project applications with a rural heritage, cultural or language theme since 2011. Details of the projects are listed in the table below.

Heritage, Cultural or Language Projects funded under Axis 3

Application Ref No	Project Title	Grant Awarded
2523	Bellanaleck Moorings Path	86,726
2533	Enhancing and celebrating the rural heritage in the Fermanagh Lakelands	86,862
2566	Ballinamallard Mill Race Path	89,460
2581	Envision Heritage Project	44,000
2625	Access Improvements at Drumskinney Stone Circle	7,318
2640	The Development of technology based audio/visual tours at key visitor sites in the Cookstown District	7,500
2647	Restoration of Caledon Beam Engine and Engine House	170,453

Application Ref No	Project Title	Grant Awarded
2746	Restoration of Irish Red Grouse and the maintenance and improvement of flora and fauna in Lough Fea	64,451
3571	Ionad Teaghlaigh Ghleann Darach /Gleann Darach Family Centre	250,000
3678	Twelve Arches Visitor Amenity Site	69,976
5440	Slieve Gullion Sub Regional Play Area	191,524
5686	Tyrone County GAA Centre Environmental and Heritage Project	250,000
5709	Restoration of Historic Building and Extensions and Improvements to same	179,960
5780	Mountain View Environmental Trail	50,910
5915	Causeway Coast & Glens Rural Tourism Marketing	75,000
5930	Tattykeel Mills: Water wheels restoration.	11,000
6306	Sion Mills Stables Heritage Project	225,750
6360	International Sheepdog Trials 2010	39,275
6372	Killeter Historical Sites Project	12,990
6391	Explore More- Explore Strabane & The Sperrins	18,413
6415	Derry City Council Columban Heritage Trail (Trail Guide)	1,500
6417	Marketing of the Faughan Valley Landscape Scheme	4,140
6448	Celebrating the Agricultural Heritage of the North West	2,373
6453	Base One Europe –Beech Hill Camp	93,402
6496	Refurbishment of Mourne Cottage into Mountain Shelter.	15,319
6732	To Publish a book of the History of Dromara and district	3,750
6745	Renovation/conservation of the Talbot Hall and Establishment of the Molyneux Trail	52,200
6764	Harry Ferguson Strategic Project	165,000
7222	Clonduff Townlands Name Project	25,873
7279	Production of a Rural Heritage Trail Publication to incorporate short village walking trails	7,474
7281	Development of Conservation Plans & Implementation Works for Restoration of 4 Historic Graveyards in the Craigavon area	52,165
7286	Pathways Through Time - Clonalig, Classdrumonaghy and Cappy	7,497
7292	Enterprise Barge Research and Interpretation Project	11,718
7490	Aesthetic and Environmental Improvments to Drumbo Round Tower and surrounding area of Village.	4,500
7511	North Antrim Region Ulster-Scots Hub (Culture and Heritage Centre)	3,750
7584	Causeway Coastal Route Interpretation Project - CCGHT Strategic Interprative Benches	7,800
7590	Carrick a Rede - Beyond the Bridge	43,500
7854	Lissan House	250,000
7975	Causeway Townland Names	2,400
7999	Restoration of Ballycarry Heritage - Orr Monument	34,133
8270	South Antrim Fishing Festival	65,565
8741	Belfast Hill Strategic Rural Heritage Project	56,029
19187	Larne Medieval Churches Project	22,250
19296	Renovation of Rowan Monument, Doagh	24,255
19337	Ballynure Cemetery	26,618

Application Ref No	Project Title	Grant Awarded
19534	South Antrim Heritage Trail	28,163
19617	Antrim Borough Rural Signage Scheme	9,000
23948	Preserving Rural Heritage in Broughshane	1,140
30186	Causeway Coast and Glens, a landscape shaped by time	5,000
30407	Restoration of disused Chapel adjacent to Ardboe Cross	63,900
31844	Mourne Monuments	62,096
31854	Mourne Stone Wall Restoration	94,226
31921	Saving Local Heritage and Education - Annaclone	18,434
31927	Strawcraft Centre of Excellence - Aughakillymaude	89,134
32185	Belfast Hills Rural Heritage Website Information Provision	5,000
32263	Marine Park Annalong	187,825
32405	Ring of Gullion AONB Tourism	29,343
32443	Bloody Bridge Visitor Amenity Area	48,650
32484	Restoration of Historic Graveyards - Armagh Area	75,135
32554	Doagh Ancestry and Townlands Project	33,750
32564	Tynan Village Conservation	27,000
32667	Mourne Stone Wall Restoration	62,338
32730	Sperrin Heritage and Fun Farm	50,000
32754	Lisnabreeny Military Cemetery	35,043
32761	Silent Valley Walking Routes	142,380
32815	The Navan Centre & Fort - A walking route of history	71,715
32921	Exhibition of the Natural Heritage and Biodiversity of Lough Neagh	24,384
33060	Belfast Hills Strategic Rural Tourism Project	250,000
33142	Garvagh Museum Ltd - Feasibility Study	5,000
33172	Heritage led ‘treasure trail’ through Glenarm Village	50,400
34126	Maze Long Kesh Festival of Speed	50,000
34132	Union Locks Project - Lagan Canal	47,107
34159	Feasibility Study for Hillsborough Quaker Meeting House	4,950
34313	Kells and Connor History Trail	15,600
34327	Antrim Hills Walking Festival	6,750
35636	Viking Connections in Down and beyond	5,000
36572	St Augustine’s Church Ruin, Ballyeaston	43,500
36580	Scullion Hurls - Developing the business to tourism	10,000
36591	Bushmills Heritage Tourism Project	45,165
37423	Faughan Valley Walking Festival	23,801
37490	THE NARROWS INTERNATIONAL ROWING AND CANOING CHALLENGES	77,291
37532	Lock Keeper’s Cottage, Barge and Visitors services	572,100
37714	Moira Demesne Regeneration	763,209
37813	Whitehead Heritage Engineering	798,209
47520	Old Rashee Church Site and Cemetery conservation project	8,850

Application Ref No	Project Title	Grant Awarded
47550	Conservation of the Stephenson Mausoleum in Kilbride Cemetery	32,100
47570	Ballymena Churchyard Trails	15,000
50408	Heritage Trails and Mobile Apps Co Down	39,285
50434	Ballynahinch Harvest and County Living Festival	22,845
50468	Railway Heritage Projects	250,000
50478	South Antrim Heritage Trail	1,725
50483	Knockagh War Memorial Enhancement Project	2,250
51520	Festival on the Lough Kilcoo	7,128

Mr P Ramsey asked the Minister of Agriculture and Rural Development, for the 2011-15 budget period, to detail (i) the budget reductions over £1,000, broken down by (a) the name of the item; (b) the amount of the reduction; and (c) the reduction as a percentage of the previous funding awarded; and (ii) the impact of Welfare Reform penalties on that budget.
(AQW 36512/11-15)

Mrs O'Neill: The Executive has agreed four sets of budget reductions for my Department over the 2011-2015 Budget period. The first set was part of the Final Budget agreed by the Executive for this period in early 2011 and the associated 'Savings Delivery Plans' are available on DARD's website. These can be viewed in the following link.

http://www.dardni.gov.uk/print/dard-budget-2011-2015-savings-delivery-plans-summary.pdf

The reductions in these 'Savings Delivery Plans' as a percentage of the previous funding awarded are not readily available and could only be compiled at disproportionate cost.

The other three sets of reductions were agreed by the Executive in the intervening period and are summarised in the following Table 1 below.

Table 1 - Budget Reductions

	Date Executive	2012/13		2013/14		2014/15	
Description	**Agreed Reduction**	**£'000**	**%**	**£'000**	**%**	**£'000**	**%**
Accommodation Services	September 2011	753	41.8	-	-	-	-
NIRDP Axis 2 National	September 2011	-	-	1,451	15.5	1,907	20.4
NIRDP Axis 2 National	November 2012	-	-	1,061	25.8	1,061	25.8
European Fisheries Fund National Capital	November 2012	-	-	600	30.0	600	30.0
Capital Computer Equipment	November 2012	-	-	303	20.2	-	-
Increased Veterinary Fund Receipts	July 2014	-	-	-	-	3,364	*
Increased CAFRE Receipts	July 2014	-	-	-	-	315	*
Corporate Services Group Staff Costs	July 2014	-	-	-	-	374	3.3

* As these reductions are receipts the calculation does not apply

The Executive has not agreed any cuts for departments in relation to Welfare Reform and therefore this issue has not had any impact on my budget.

Mr Kinahan asked the Minister of Agriculture and Rural Development when the Agri-Food and Biosciences Institute study on Recreational Sea Angling will be published.
(AQW 36607/11-15)

Mrs O'Neill: It is my Department's intention to publish the Inshore Fisheries Strategy and the results from the survey on Recreational Sea Angling on the same day. The publication date will be on or before the 31 October 2014.

Mr Kinahan asked the Minister of Agriculture and Rural Development to outline the main findings of the Agri-Food and Biosciences Institute study on Recreational Sea Angling.
(AQW 36609/11-15)

Mrs O'Neill: AFBI's survey on Recreational Sea Angling will provide an insight into sea angling activity and the range of species caught by anglers in our local waters.

It is my Department's intention to publish the results from the survey on or before the 31 October 2014.

Mr Frew asked the Minister of Agriculture and Rural Development whether her Department plans to fund further education in the equine sector.
(AQW 36668/11-15)

Mrs O'Neill: My Department already funds further education in the equine sector through the College of Agriculture, Food and Rural Enterprise (CAFRE) at its Enniskillen Campus. This provision includes full-time programmes at BTEC Level 2 Diploma and BTEC Level 3 Extended Diploma.

Mr Frew asked the Minister of Agriculture and Rural Development for an update on the implementation of any animal welfare legislation.
(AQW 36669/11-15)

Mrs O'Neill: I understand the Member has clarified the question, advising that an update is sought on any welfare legislation that is being brought forward.

I do not propose to bring forward any animal welfare legislation at this time. Following recent consultation with Councils and DOE, I have agreed to defer transferring responsibility for the licensing of non-farmed animal establishments, including petshops, riding and boarding establishments, to Councils until 2016. This is to allow the restructuring from 26 to 11 Councils under Local Government Reform to bed in and become established.

In the interim, my Department's Veterinary Service will continue to undertake the animal establishment licensing role, including processing new applications, reviewing existing licences and dealing with complaints. My officials will continue to engage with Councils and DOE to consider how best to transfer the licensing function to Councils and how it should be structured between the new 11 Councils.

You will be aware that earlier this year I initiated a review of the implementation of the Welfare of Animals Act 2011. This work is being led by senior officials in my Department and the Department of Justice. I anticipate a final report will be available to me early in 2015 at which time I will consider any recommendations made.

Ms Sugden asked the Minister of Agriculture and Rural Development what steps her Department has taken to encourage the wider community to promote and facilitate farm safety.
(AQW 36728/11-15)

Mrs O'Neill: Since May 2012 my Department has been working as a Partner of the Farm Safety Partnership to improve safety on our farms. The Partnership also includes representatives from the Health and Safety Executive for NI, Ulster Farmers Union, Young Farmers Clubs of Ulster, National Farmers Union Mutual and NIAPA.

The Partnership launched its second Action Plan on 7 April 2014. This Action Plan will cover the years 2014 to 2017.

The aim of this action plan is to influence future behaviour so that farmers, their families, and their employees are capable, motivated, and able to work safely to reduce accidents on farms. A number of interventions are contained in the action plan to achieve this aim. The interventions will cover the four areas of Information and Promotion of SAFE Working, Training and Education, Motivating Good Behaviour and Discouraging Poor Practice, and Support and Assistance.

The Action Plan has 17 key actions including the following:

- Continue to expand upon the farm safe Information and Promotion Programme through advertising, media, events and other communication channels,
- Deliver a series of seasonally relevant Farm Safety Spotlight Weeks to capitalise on existing one to many contact opportunities,
- Identify and utilise Farm Safety Champions to promote and encourage good farm safety management,
- Develop and implement a Farm Safety Awards Scheme to recognise excellence, good practice and innovation,
- Develop an Affiliate Scheme to encourage businesses and organisation to support the aims of the Farm Safety Partnership in the north of Ireland.

Ms Sugden asked the Minister of Agriculture and Rural Development to outline the steps her Department has taken to provide greater access to support and services which will assist and encourage safe working on farms.
(AQW 36730/11-15)

Mrs O'Neill: Since May 2012 my Department has been working as a Partner of the Farm Safety Partnership to improve safety on our farms. The Partnership also includes representatives from the Health and Safety Executive for NI, Ulster Farmers Union, Young Farmers Clubs of Ulster, National Farmers Union Mutual and NIAPA.

The Partnership launched its second Action Plan on 7 April 2014. This Action Plan will cover the years 2014 to 2017.

The aim of this action plan is to influence future behaviour so that farmers, their families, and their employees are capable, motivated, and able to work safely to reduce accidents on farms. A number of interventions are contained in the action plan to achieve this aim. The interventions will cover the four areas of Information and Promotion of SAFE Working, Training and Education, Motivating Good Behaviour and Discouraging Poor Practice, and Support and Assistance.

The Action Plan has 17 key actions including the following:

- Develop with the assistance of farmers a suite of Visual Safety Guides demonstrating safe working methods,
- Continue to Deliver and further develop a Farm Safety Awareness Programme,
- Identify, develop and promote a suite of Accredited Farm Safety Training programmes,
- To Develop and display a simple resource (Making it Safer) to allow farmers to risk assess their farms and identify simple solutions to manage risk,
- Develop and deliver a Farm Safe Awareness Programme to farm Development Groups to encourage co-operation sharing and knowledge transfer between small groups of farmers,
- Promoting safety through Grants by implementing a system to ensure that safety is a key cross cutting component of Rural Development Programme grants,
- Develop and implement an Advice & Support Scheme to provide a suite of easily accessible advice and support services to assist farmers to properly manage health and safety.

A new web based Farm Safety tool called FarmSafeNet was launched recently by me. This was developed by the industry led Farm Safety Partnership. To date 323 businesses have successfully completed FarmSafeNet.

In addition my officials have been working closely with the HSENI to develop a Make it safer tool to be made available to all farmers. The aim of this tool is to provide farmers with an easy to use tool to help them identify the dangers on their farms and manage these ultimately leading to a safer environment in which they work.

My Department also intends to include Farm Safety as a feature of the new Business Improvement Scheme under the Rural Development programme.

As the partnership works through its action plan my Department will continue to support the actions taken to ensure that farmers have access to tools and material that will assist them in making their farms a safer place to work and live.

Mr Moutray asked the Minister of Agriculture and Rural Development to detail the number of visitors to Tollymore Forest Park in the last two years.
(AQW 36740/11-15)

Mrs O'Neill: Forest Service currently holds information on paying visitors to Tollymore Forest Park based on ticket sales made at the point of entry for motor vehicles and overnight stays on the caravan and camping site. Day visitors also enter the forest on foot at a number of locations without charge and therefore these numbers are not recorded. The paying visitor numbers for the last two years are as follows:

FY 2012 – 2013

98,889 day visits and 25,862 overnight campsite visits

FY 2013 – 2014

107,493 day visits and 24,787 overnight campsite visits

In order to capture more comprehensive figures to include non-paying as well as paying visitors, a visitor survey has been commissioned, which includes Tollymore Forest Park. We are expecting to receive results of the survey at the end of this financial year.

Mr B McCrea asked the Minister of Agriculture and Rural Development, pursuant to AQW 35925/11-15, for her assessment of the consolidation of the Agri-Food and Bioscience Institute sites.
(AQW 36751/11-15)

Mrs O'Neill: The ultimate purpose of any future investment in the AFBI occupied estate will be to deliver an estate that meets future business needs. Therefore, as I have indicated previously, it must be informed by AFBI's strategic vision and scientific priorities and pay proper regard to issues such as cost effectiveness, biosecurity and contingency capacity and, of course, fall within the bounds of affordability and value for money. There is scope for consolidation, but the future form of the AFBI occupied estate will follow function and work is continuing to consider these matters appropriately.

Mr Allister asked the Minister of Agriculture and Rural Development whether any Rural Development funding, or other departmental funding, has been paid to Foyle Recyclers Limited; and, if so, (i) when payment was awarded; (ii) how much was awarded; and (iii) for what purpose was the funding to be used.
(AQW 36761/11-15)

Mrs O'Neill: Since my appointment as Minister in May 2011 my Department has not made any payments to Foyle Recyclers Ltd.

Mr B McCrea asked the Minister of Agriculture and Rural Development what steps her Department, via the relevant official in the Agri-food and Biosciences Institute, will take to attract increased funding from Europe in order to promote Northern Ireland as a research and innovation hub for the agri-foods industry.
(AQW 36814/11-15)

Mrs O'Neill: Since his appointment, a year ago, the NI Contact Point (NICP) for agri-food, funded by my Department, has developed a strategy to help maximise opportunities for the agri-food supply chain in the north of Ireland to win competitive EU research and innovation funding through Horizon 2020.

In commencing to implement the strategy, our NICP has already led a series of one-to-one meetings and workshops with a number of agri-food companies, trade support bodies and research providers. A peer-support/mentoring programme and brokerage function have been developed to connect potential partners with consortia and support proposal development. These initiatives will be built on further over the next 2-years.

Strong north-south links have been developed by the NICP with the Irish National Contact Point network and his direct counterpart covering agri-food and with academic institutions including Teagasc, University College Dublin, Dublin Institute of Technology and Waterford Institute of Technology. Our NICP has been working with colleagues in InvestNI and the Office of the NI Executive in Brussels to develop linkages with the European Regions Research and Innovation Network (ERRIN) and European Regions for Innovation in Agriculture, Food and Forestry (ERIAFF) network. These linkages and collaborations will be used as an important framework on which Horizon 2020 proposals can be developed.

In summary, our NICP, based in AFBI, is working hard to facilitate increased drawdown of EU competitive research funding by the agri-food sector and research providers across the north and this work is set to develop further from the very solid start which has been made.

Department of Culture, Arts and Leisure

Mr Campbell asked the Minister of Culture, Arts and Leisure how many trade shows her Department has identified for the promotion of angling tourism in 2015, in (i) the UK; (ii) the Republic of Ireland; and (iii) the rest of Europe.
(AQW 36415/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): My Department will attend the following number of trade shows between January and March 2015 as follows:

(i)	North of Ireland	1
(ii)	Britain	0
(iii)	South of Ireland	1
(iv)	Rest of Europe	4

Planning for attendance at trade shows in 2015/16 will commence in the near future and will be dictated by current budgetary constraints.

Mr Allister asked the Minister of Culture, Arts and Leisure to detail the amount in overpayments to staff of Waterways Ireland for subsistence rates from 2002 to 2011; and whether the overpayments have been independently validated by Internal Audit and recovered.
(AQW 36418/11-15)

Ms Ní Chuilín: A validation exercise has been conducted by DCAL Internal Audit to verify the amount of overpayments made to staff of Waterways Ireland for subsistence rates from 2002 to 2011. The exercise has confirmed the amount as £129,058. From 2011 to present the correct rates have been applied. The verification report has been agreed by Sponsor Departments and will shortly issue to Waterways Ireland. Now that the amounts overpaid have been validated recovery action will commence.

Ms Sugden asked the Minister of Culture, Arts and Leisure what mechanisms are in place in her Department to monitor funds which it has allocated, and which are being facilitated and executed through district councils.
(AQW 36451/11-15)

Ms Ní Chuilín: The Department currently provides funding to councils for two main purposes - for Community Festivals across the north and for City of Culture legacy (specifically to Derry City Council).

In the case of festivals, while my Department has overall policy responsibility for the Community Festivals Fund, responsibility for making awards to individual festivals has, since 2008, been devolved to councils.

Monitoring arrangements include the requirement for each council to provide an annual report to the Department which provides details of festivals supported and an assessment of their impact on local communities. The expenditure of councils is also, of course, subject to annual audit by the Local Government Auditor.

Since it is not a recurring programme, the arrangements around funding Derry City Council (DCC) for City of Culture Legacy are different. A detailed letter of offer provides a monitoring framework which deals with internal processes , financial management and governance matters within DCC. A North West team within the Department exercises an oversight role over Legacy activities and financial support. Funding requests from DCC are accompanied by approvals from its own internal audit function and are subject to further scrutiny within the Department.

The Department occasionally makes smaller grants available to councils for discrete projects. Letters of offer set out conditions for spend which is usually verified by reference to supporting documentation and/ or physical inspection.

Mr G Robinson asked the Minister of Culture, Arts and Leisure what action she will take following the recent complaints regarding changes to mobile library services.
(AQW 36464/11-15)

Ms Ní Chuilín: Libraries NI has informed me that since the new mobile library schedules and timetables came into operation on 6th January 2014 it has received 5 complaints:

Complaint Made (2014)	Number of Complaints	Location
January	2	Ardglass
February	2	Ballymena & Plumbridge
May	1	Belfast

Libraries NI has a Customer Feedback Policy and an associated system which records and monitors complaints. None of the complaints received were significant in nature and all were resolved by Libraries NI.

Libraries NI has informed my officials that the changes to mobile library services have been well received and its efforts to inform the public have been appreciated. The new strategy has resulted in an increase in mobile library usage of 12% in Quarter One of 2014/15 compared with the previous year. It has also resulted in improved access to services to the public as well as efficiency savings (the number of vehicles was reduced by 2).

If you are aware of any other issues concerning the mobile library service you may wish to raise these, in the first instance, with the Chief Executive of Libraries NI, who will then have the opportunity to address these concerns.

Mr B McCrea asked the Minister of Culture, Arts and Leisure why her Department declared capital reduced requirements of £8.2 million in 2013-14 and £35.3 million in 2014-15.
(AQW 36553/11-15)

Ms Ní Chuilín: The reduced capital requirements of £8.2million in 2013/14 and £35.3million in 2014/15 both relate to the Regional Stadium Programme.

Spend in 2013/14 was restricted significantly by the delay to the IFA project brought about by the State Aid Judicial Review challenge (which was subsequently withdrawn).

Spend in 2014-15 has been restricted significantly as a result of the Judicial Review brought by a Casement Park residents group (MORA) against the DOE's planning approval for the Casement Park Stadium.

It should be noted that the reduced capital requirement in 2013/14 and 2014/15 are a result of legal challenges and the capital sums previously eased will be required in 2015/16 to complete the stadium projects.

Mr B McCrea asked the Minister of Culture, Arts and Leisure how much her Department has spent on Libraries NI in the last three years; and what steps her Department is taking to prevent job losses and reduced services across the 96 branches.
(AQW 36554/11-15)

Ms Ní Chuilín: Over the last 3 financial years, my Department has made the following budget allocation to Libraries NI (LNI):-

Budget allocation	2011/12	2012/13	2013/14
Recurrent	£33.132m	£30.172m	£32.2m
Capital	£2.243m	£1.711m	£9.092m
Total	**£35.375M**	**£31.883M**	**£41.292M**

Libraries NI is required to prepare a revised budget to enable it to save £1.4m of its 2014/15 opening budget of £34.4m. In making reductions, Libraries NI is seeking to prevent job losses by protecting the contractual hours of its permanent staff across all of its branches. A number of agency staff are, regrettably, being released. These individuals are employed by a recruitment agency, not Libraries NI, and are normally deployed to back fill temporary vacancies, maternity leave, sickness absence and short term promotions. In most cases, posts covered by released agency staff will remain vacant until they can again be filled.

The need to make savings has the potential to impact on services. Libraries NI remains committed to doing all in its power to ensure quality services to the public are maintained. Work is already under way to try to reorganise permanent staff time tables in order to minimise any adverse service impact. My Department also stands ready to support Libraries NI as it seeks to identify areas where savings might potentially be achieved through efficiencies.

Mr Dunne asked the Minister of Culture, Arts and Leisure what action is being taken to protect front line service delivery within libraries.
(AQW 36573/11-15)

Ms Ní Chuilín: Libraries NI is required to prepare a revised budget to enable it to save £1.4m of its 2014/15 opening budget of £34.4m. As a consequence of the need to make savings, there is the potential for an impact on front line service delivery within libraries. Libraries NI is, however, committed to doing all in its power to ensure quality services to the public are maintained. Work is already under way to try to reorganise permanent staff time tables in order to minimise any adverse service impact. My Department also stands ready to support Libraries NI as it seeks to identify areas where savings might potentially be achieved through efficiencies.

Ms Sugden asked the Minister of Culture, Arts and Leisure for her assessment of the cuts to funding for local public services which has led to Libraries NI making recent staff cuts; and what reassurances she can give to staff that her Department is working to mitigate the effects of funding cuts.
(AQW 36729/11-15)

Ms Ní Chuilín: All service areas across my Department and its Arms Length Bodies have been affected by the recently announced budget reductions and are obliged to plan for savings of up to 4.4% in 2014/15. To meet this target, Libraries NI is required to prepare a revised budget to enable it to save £1.4m of its 2014/15 opening budget of £34.4m.

Decisions on how Libraries NI budget reductions are managed at local level across the Public Library Estate is a matter, in the first instance, for the Authority's Board and Senior Management Team. While the need to make these savings has the potential to impact on local public services, Libraries NI remains committed to doing all in its power to mitigate the effects and to quickly communicate these changes to its staff. To this end, work is already under way to try to reorganise permanent staff time tables. In addition, posts that were, until now, covered on a temporary basis by recently released recruitment agency staff will remain vacant until they can again be filled. My Department also stands ready to assist Libraries NI as it seeks to identify areas where savings might potentially be achieved through efficiencies.

Ms Sugden asked the Minister of Culture, Arts and Leisure to outline the provisional of facilities for the development of sport at an elite level; and whether there are plans to expand the provision of these resources.
(AQW 36731/11-15)

Ms Ní Chuilín: My strategy for sport, Sport Matters, has a number of specific targets dedicated to improving the sporting infrastructure in the north of Ireland. One of these targets (PL23) is for the provision of a minimum of ten new or upgraded facilities to support athlete development in Olympic/Paralympic sports. An associated Sport Matters Action Plan and annual Progress Reports provide detail on the actions being taken and the progress of delivery against these targets. The most recent report shows that this target has been met with 21 sports facilities being provided that are considered to contribute to this target. Examples of facilities provided include the 50 metre pool in North Down and new or upgraded facilities for boxing, cycling, basketball, hockey and athletics. Facilities were also upgraded for rowing and disabled equine sports in the Coleraine area.

In addition, the Sports Institute for NI (SINI) and a number of the satellite Performance Development Centres are recognised for making a major contribution to individual athlete development.

Sport NI is also currently developing a capital programme which aims to invest £17.5 million Lottery funding in sporting facilities over a five year period. This programme will seek to integrate the facility needs of community participants and performance athletes within the same multi-sport environment.

Ms Sugden asked the Minister of Culture, Arts and Leisure to detail her Department's role in the Ballymena Business Centre initiative to provide twenty arts and craft businesses five months free retail space in Ballymena town centre; and whether there are plans to encourage this initiative beyond the Ballymena area.
(AQW 36732/11-15)

Ms Ní Chuilín: The Ballymena Business Centre initiative has received funding from my Department's Creative Industries Innovation Fund (CIIF), which is administered by the Arts Council:

Finance Year	Organization Name	Programme	Grant Amount	Project Description
2014-2015	Ballymena Business Centre Ltd	Creative Industries	£20,000	Creative Incubation Space - Ballymena Business Centre will provide 2000 sq. ft. of retail and exhibition space in Ballymena town centre, free trading for a period of months inclusive of rent, rates and service charge.

With regard to plans to encourage this initiative beyond the Ballymena area, an evaluation of project activities and supported outcomes is a requirement for all grant recipients. The outcomes and learning from this project will be captured and the Arts Council and other sectoral organisations, such as Craft NI, can use this insight to inform future initiatives elsewhere.

Mr B McCrea asked the Minister of Culture, Arts and Leisure whether her Department plans to investigate and report on the governance and affiliation issues which prevented some athletes from participating in the 2014 Commonwealth Games, in order to prevent a reoccurrence in 2018.
(AQW 36754/11-15)

Ms Ní Chuilín: Responsibility for nominating and selecting participants for the 2014 Glasgow Commonwealth Games rests with the governing body of the sport concerned, its International Federation and the NI Commonwealth Games Council.

I recognise that there are athletes from the north of Ireland, whose chosen sport is Hockey and Rugby Sevens, who cannot currently compete at the Commonwealth Games as part of Team NI. Following the debate in the Assembly on 30 September 2014, I have written to the Governing Bodies of Hockey and Rugby Sevens to see what can be done to provide our local athletes with the opportunity to compete in these sports at the Commonwealth Games.

In addition, athletes from the north of Ireland who participate in weightlifting, cannot currently be selected for the NI Commonwealth Games Team, as there is no weightlifting governing body in membership of the NI Commonwealth Games Council. Sport NI has provided advice to representatives from the sport locally around the formation of a governing body to represent this sport here. The matter is now with weightlifting representatives to commence the governing body recognition process with Sport NI.

Neither DCAL, nor Sport NI, are aware of any other governance and affiliation issues which prevent other local athletes from the opportunity to compete and as such I have no plans to carry out any investigations in this regard.

Mr B McCrea asked the Minister of Culture, Arts and Leisure what steps she is taking to encourage stakeholders, including local councils, to invest in sport.
(AQW 36815/11-15)

Ms Ní Chuilín: Sport Matters, my Department's Strategy for Sport and Physical Recreation for 2009-2019, recognises that investment in sport is required by a range of stakeholders, including local councils. The Strategy contains twenty six high level targets which set out the key strategic priorities for investment across the north of Ireland. The Strategy also recognises that no single individual or organisation can deliver these targets alone.

The Strategy's implementation structure includes a Monitoring Group, which I chair, and three Implementation Groups, all of which meet twice per year. These groups include representatives of all the main stakeholders involved and as part of this, an associated Action Plan and annual Progress Reports, which are published on the DCAL website, provide detail on the actions being taken forward.

This structure provides me with the opportunity to monitor and encourage ongoing investment in sport by all stakeholders. In addition, my Department and Sport NI seek to work in partnership with local councils and other stakeholders, where possible, to ensure provision of sporting programmes and facilities. Examples of current activity include the Active Communities programme, Active Clubs, Disability Sport NI's Disability 5Star Challenge and the Boxing Investment Programme. In addition, Sport NI is also working in partnership with Councils to deliver a Sports Facilities Strategy and 11 District Council Area Reports. This work will provide Sport NI with a framework for the strategic delivery of sports facilities throughout the north.

Mr B McCrea asked the Minister of Culture, Arts and Leisure what steps she is taking to improve the sporting infrastructure such as velodromes and other facilities.
(AQW 36818/11-15)

Ms Ní Chuilín: My strategy for sport, Sport Matters, has a number of specific targets dedicated to improving the sporting infrastructure in the north of Ireland. These include implementing a certification process which will improve safety at sports grounds; the delivery of the regional stadia programme; to have a minimum of ten new or upgraded facilities to support athlete development in major competitions; and, to ensure that 90% of the public have quality accredited, multi sports facilities within twenty minutes travel time. An associated Sport Matters Action Plan and annual Progress Reports provide detail on the actions being taken and the progress of delivery against these targets.

My Department and Sport NI are delivering significant investments to assist with achieving these targets. Examples include investment of £110 million in respect of the Regional Stadia Programme and the Sport Matters Community Capital Programme which invested almost £10.5 million in over 46 capital projects.

Sport NI is also currently developing a capital programme which aims to invest a further £17.5 million Lottery funding in sporting facilities over a five year period. This programme will seek to integrate the facility needs of community participants and performance athletes within the same multi-sport environment. As part of this, Sport NI has consulted with sports governing bodies to identify their priorities for high performing athletes going forward. Sport NI is also working in partnership with Councils to deliver a Sports Facilities Strategy and 11 District Council Area Reports. Together this work will provide Sport NI with a framework for the strategic delivery of sports facilities throughout the north.

Mr Copeland asked the Minister of Culture, Arts and Leisure to outline the support given to boxing clubs in East Belfast since 2011.
(AQO 6762/11-15)

Ms Ní Chuilín: Sport NI has allocated Lottery funding of three million, two hundred and seventy thousand pounds to invest in the sport of boxing across the north of Ireland. This investment is helping to address some, but not all of, the equipment and facility needs identified. The programme also provided the Irish Amateur Boxing Association (IABA) with funding to employ a Development Manager, who would help clubs apply to the programme, including those in East Belfast.

The IABA received almost one hundred and seventy thousand pounds for the supply of equipment to boxing clubs which are affiliated to the IABA. In the East Belfast area, Eastside Amateur Boxing Club and City of Belfast Boxing Academy received boxing equipment from this grant worth two thousand two hundred and fifty six pounds and one thousand seven hundred and forty one pounds respectively. In addition, both of these Clubs have received indicative letters of offer for thirty nine thousand, two hundred and ninety four pounds and ninety two thousand, one hundred and eighty eight pounds respectively for capital works under the capital element of the programme.

In addition, in 2011, Eastside ABC received thirty thousand pounds funding for a pre-fabricated structure which included a boxing ring, gym, shower and changing facilities under the Sport Matters: Capital and Equipment Programme.

The Sports Institute NI provided support to the highly successful 2014 Commonwealth Games Boxing Team towards their preparation for the competition, including bronze medallist Alana Audley-Murphy from Eastside ABC.

Mr Kinahan asked the Minister of Culture, Arts and Leisure how her Department promotes angling in South Antrim.
(AQO 6756/11-15)

Ms Ní Chuilín: My Department is working closely with the Loughs Agency and Inland Fisheries Ireland in jointly promoting the recreational angling product in Ireland, including South Antrim, through participation in key angling shows throughout Ireland, Britain and Europe.

My Department had an enhanced presence at this year's Irish Game Fair held at Shanes Castle, Antrim. The event attracted a considerable number of visitors and my Department promoted a number of new initiatives to encourage greater interest in angling, particularly among children.

My Department manages Stoneyford Reservoir and Toome Canal which are very popular waters for anglers within my Department's Public Angling Estate. There are a number of excellent private fisheries in South Antrim including the Six Mile Water and the Lower Bann.

I believe that angling offers considerable potential for development and my Department is working closely with Sport NI, the Tourist Board and Loughs Agency in implementing the key recommendations of the strategic review of angling in the development of the sport, in promoting health and well being and in increasing angling tourism.

As part of this approach, my Department established a Community Outreach Initiative and it is working with local community organisations and angling clubs in promoting the broader health and well being value of angling. We have supported a number of outreach events in the South Antrim area to date, working in partnership with local organisations, including First Cast NI, in targeting young people, women and those with disabilities.

The Department is also in the process of developing a Fishery Management Plan for Lough Neagh and its tributary rivers, a number of which are located in South Antrim. The Plan aims to promote, develop and enhance commercial and recreational angling within the Lough Neagh catchment. My officials have consulted with local angling clubs, including those with an interest in quality salmon and trout rivers such as the Lower Bann and the Six Mile water.

Mr D Bradley asked the Minister of Culture, Arts and Leisure to detail the proposed reduction in opening hours in each library from November 2014.
(AQW 37049/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is not yet possible to detail any proposed temporary reduction in opening hours in individual libraries from November 2014.

Libraries NI is currently working to identify any opening hours reductions that may be required as a result of releasing agency staff and ceasing the payment of additional hours to permanent part-time staff who have been providing cover. This process

also involves reorganising the timetables of permanent staff. In doing so, Libraries NI will seek to maintain opening hours at times when libraries are busiest and to ensure, where possible, that scheduled programmes, such as Rhythm and Rhyme, school class visits etc can continue with minimum disruption.

Libraries NI has initially indicated that any reduced opening hours will, in the most part, be implemented through reducing the number of late nights that larger libraries are open. It is anticipated that libraries currently open 18 hours per week or 25 hours per week will continue at that level, although in some cases, there may be ad hoc closures, with advance notice provided to the public, if staffing levels cannot be maintained.

Mr Craig asked the Minister of Culture, Arts and Leisure for an update on the action her Department has taken to support the development plans of the Salto Gymnastics Club, Lisburn.
(AQO 6759/11-15)

Ms Ní Chuilín: As the member will be aware, I met with him and the Chief Executive of Salto towards the end of 2013 to discuss the expansion plans for their facilities. I recognised the greatly increased demand for participation following the 2012 Olympic and Paralympic Games and Salto's successful hosting of the Chinese artistic gymnastic teams for a pre-games training camp.

I encouraged Salto to work closely with Sport NI and subsequently Salto received support from Sport NI's technical unit on the feasibility of the proposed extension.

The next step is to develop a business case for the project. My Department attempted, in the June monitoring round, to secure the required budget to produce a business case but was not successful. However, it is my intention that my Department will continue to seek the budget for the production of this business case.

If budget is secured for it, the business case produced will support any application by Salto for capital funding.

Mr A Maginness asked the Minister of Culture, Arts and Leisure what steps her Department is taking to improve disabled facilities and access points in museums and arts organisations.
(AQO 6760/11-15)

Ms Ní Chuilín: All venues constructed under the Arts Council's Capital Build Programme are compliant with the 1995 Disability Discrimination Act. Similarly, all refurbishment and new-build work carried out by National Museums is subject to a Universal Access Review at the design stage. The Museums Council has also recently provided some grants to local museums to enhance their disability access. These measures allow the physical needs of those with disabilities to be considered in detail from the outset.

However, it is important that museums and arts venues do more than meet the basic statutory requirements to overcome the physical barriers to participation. These organisations must also address issues surrounding intellectual and economic access.

My Department has provided the Arts Council with funding to produce an Arts and Disability Equality Charter. This was developed by disabled people to encourage and reward good practice at arts venues. This Charter is a hallmark of good access and is operated through a partnership of the Arts and Disability Forum, Adapt NI and Open Arts.

The Arts Council also requires its funded organisations to demonstrate the practical measures they pursue to engage with disabled people as members of the audience or as participants in their work.

In the museums sector National Museums and the Museums Council also work closely with Adapt NI to audit museum sites to help improve intellectual and physical access to museums. National Museums also provides free access to all of its sites for visitors with disabilities and their carers.

These initiatives continue to improve both the design of facilities and the provision of services for those with disabilities.

Mr Gardiner asked the Minister of Culture, Arts and Leisure to outline the extent of the historical film archive under her Department's control.
(AQO 6761/11-15)

Ms Ní Chuilín: The historical film archive under my Department's control is in PRONI. It comprises 307 reels, mainly in 8mm and 16mm format, and 23 video cassettes.

The historical film archive spans a period beginning in 1912 and extending to 1992. The archive includes both original material and copies of broadcasts by companies such as RTE, UTV and BBC.

The historical film archive comprises footage from both official and private sources. The official sources are primarily the former NI Government Information Service and the Ulster Tourism Development Association.

The earliest footage relates to the signing of the Ulster Covenant but the film archive also depicts news and scenes from across the island, North and South, including footage of sport, agriculture, industry and housing.

The archive also includes film footage relating to the conflict such as coverage of riots in Belfast during August 1969.

The PRONI catalogue currently contains details of 134 reels of film and video tapes, giving a brief description of the content.

The catalogue is available via the PRONI website or by visiting the PRONI building in Titanic Quarter.

Some of the older films have been transferred to video and are available to watch at PRONI.

Mrs D Kelly asked the Minister of Culture, Arts and Leisure for her assessment of the sustainability of the commercial fishing of Lough Neagh.
(AQO 6763/11-15)

Ms Ní Chuilín: The long term sustainability of the Lough Neagh commercial fishery is a key priority for my Department. The fishery makes a significant contribution to the local economy and some three hundred families around the Lough derive income from it.

I recently visited the Lough Neagh Fishermens Co-operative Society's facilities at Toome and I was impressed with the Co-operative's positive approach to the future management and sustainability of the fishery.

I have commissioned the Agri-Food and Biosciences Institute (AFBI) to undertake further research on fish stocks throughout the catchment. AFBI's work provides an important scientific basis to my Department's role in the conservation and protection of the fishery and will inform the development of the Lough Neagh Fishery Management Plan.

There has already been extensive work carried out on salmon and eel stocks and a suite of conservation measures are already in place in respect of these species.

There is currently no scientific evidence on other fish stocks that would confirm that any factors, including commercial fishing, are having a detrimental effect on stocks. AFBI is currently carrying out a research project on Lough Neagh that will provide information on the location and population levels of all fish species in the Lough. AFBI and my Department are also carrying out research into commercial fishing methods on the Lough and the potential impact this may have on stocks.

The habitat in and around Lough Neagh is important and my Department is undertaking habitat survey work on the tributaries flowing into Lough Neagh. This will identify areas where poor habitat is limiting fish stock levels and where further remedial work is required.

I am also concerned at the potential detrimental impact on fish stocks of sand dredging in Lough Neagh and my Department is in discussions with other Government Departments and stakeholders on the need to regulate such activity.

Mr Easton asked the Minister of Culture, Arts and Leisure what is her Department's annual spend on maintaining and running museums.
(AQO 6764/11-15)

Ms Ní Chuilín: My Department's investment in maintaining and running museums is undertaken through funding National Museums.

In the 2013/14 financial year, in order to help maintain and run its respective museums, my Department provided National Museums with £14.43m. This consisted of £12.98m of resource and £1.45m of capital funding.

In addition, the NI Museums Council received funding of £288,000 in 2013/14 from my Department to support local museums in maintaining and improving their collections.

In 2013/14 my Department also provided £30,000 to the Somme Heritage Centre as part of a three year funding programme to support work aligned to the Decade of Centenaries programme.

The Budgets for 2014/15 are currently under review and are subject to in-year revision.

Department of Education

Mr Storey asked the Minister of Education to detail the number of teacher posts advertised, broken down by (a) sector; and (b) Education and Library Board, in each of the last three years.
(AQW 36277/11-15)

Mr O'Dowd (The Minister of Education): The number of teacher posts advertised in each of the last three academic years is detailed in the tables below. Please note the figures for CCMS have been broken down by Education and Library Board area, and incorporated into the overall figures below.

The figures provided by the Western Education and Library Board for the 2012/13 and 2013/14 years include all posts for which they, as the lead board, advertised for the DE Signature project.

The symbol # indicates that due to the small numbers involved a high level of suppression would be required to prevent the identification of an individual. This guidance is in accordance with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

Please note these figures do not include Voluntary Grammar Schools (VGS) or Grant Maintained Integrated (GMI) Schools.

BELB Area			
Sector	**11/12**	**12/13**	**13/14**
Nursery	#	#	#
Primary	57	72	110
Post-Primary	45	52	60
Special	15	20	11
Other	#	0	#

NEELB Area			
Sector	**11/12**	**12/13**	**13/14**
Nursery	#	#	#
Primary	59	43	92
Post-Primary	62	91	73
Special	16	17	13

SEELB Area			
Nursery	0	#	6
Primary	120	98	152
Post-Primary	65	71	67
Special	14	18	18
Other	#	12	#

SELB Area			
Nursery	#	#	0
Primary	50	138	117
Post-Primary	71	85	95
Special	11	20	#
Other	0	9	0

WELB Area			
Nursery	0	#	#
Primary	73	105	101
Post-Primary	42	85	83
Special	#	10	9

Lord Morrow asked the Minister of Education to detail the number of (i) staff employed on site; and (ii) number of pupils currently attending Tamnamore Learning Centre in Dungannon.
(AQW 36479/11-15)

Mr O'Dowd: There are currently 5 teachers and an additional 5 support staff employed on site. Currently there are 14 children enrolled at the Tamnamore Learning Centre in Dungannon.

Mr P Ramsey asked the Minister of Education, for the 2011-15 budget period, to detail (i) the budget reductions over £1,000, broken down by (a) the name of the item; (b) the amount of the reduction; and (c) the reduction as a percentage of the previous funding awarded; and (ii) the impact of Welfare Reform fine on that budget.
(AQW 36514/11-15)

Mr O'Dowd: The Budget 2011-15 outcome for education produced major challenges as the level of funding available over the period 2011-12 to 2014-15 was less than had previously been in place. The shortfall between the Department's anticipated spending requirements and the Budget 2011-15 outcome was some £101m/£187m/£229m/£306m over the 4 years. At that time, a Savings Delivery Plan was developed to seek to contain expenditure within the budget allocated for education and to address Ministerial priorities and protect frontline services.

On 12 January 2012, having secured additional funding from the Executive, I announced further funding of £30m / £15m / £75m over the period 2012-13 to 2014-15 also to be allocated directly to schools. This is over and above an extra £40m that I reallocated to schools in November 2011 from within the then existing education budget. As a result of these 2 measures and subsequent internal budget reviews, there has been a reduction in the level of savings to be delivered from that originally planned. The savings to be delivered are now £101m/ £147m/ £175m/ £206m.

Details of the information requested are set out below.

					£ms
Area of Reduction	**2010/11 Baseline**	**2011/12 Reduction**	**2012/13 Reduction**	**2013/14 Reduction**	**2014/15 Reduction**
Schools Delegated Budget	**1,127.0**				
Aggregated Schools Budget		26.6	45.2	74.1	89.9
% of 2010/11 baseline		2.4	4.0	6.6	8.0

Area of Reduction	2010/11 Baseline	2011/12 Reduction	2012/13 Reduction	2013/14 Reduction	2014/15 Reduction
					£ms
Teacher Substitution Costs		2.1	3.7	3.9	4.0
% of 2010/11 baseline		0.2	0.3	0.3	0.4
Procurement Goods & Services and Energy		2.9	5.8	8.7	11.6
% of 2010/11 baseline		0.3	0.5	0.8	1.0
ELB Block Grant	**399.8**				
Home to School Transport		5.0	5.0	5.0	5.0
% of 2010/11 baseline		1.3	1.3	1.3	1.3
Professional Support for Schools		2.6	9.5	5.0	9.5
% of 2010/11 baseline		0.6	2.4	1.3	2.4
ELB Centre Resource Budget Efficiencies		2.0	6.3	6.3	6.3
% of 2010/11 baseline		0.5	1.6	1.6	1.6
ALB Admin & Management Costs		12.5	12.5	9.1	12.5
% of 2010/11 baseline		3.1	3.1	2.3	3.1
Procurement Goods & Services and Energy		2.1	4.2	6.3	8.4
% of 2010/11 baseline		0.5	1.1	1.6	2.1
Teacher Substitution Costs		0.9	1.5	1.6	1.6
% of 2010/11 baseline		0.2	0.4	0.4	0.4
School Meals Service (ELB School-related Centre Resource Budget)		0.0	1.0	1.0	1.0
% of 2010/11 baseline		0.0	0.3	0.3	0.3
Primary Principals - Transfer Interviews (ELB School-related Centre Resource Budget)		0.5	0.5	0.5	0.5
% of 2010/11 baseline		0.1	0.1	0.1	0.1
ICT in Schools	**50.8**				
Classroom 2000		12.0	16.5	16.9	16.8
% of 2010/11 baseline		23.6	32.4	33.1	33.0
Professional Support for Schools	**23.9**				
School Improvement Programme		6.2	6.9	6.9	6.9
% of 2010/11 baseline		25.8	28.7	28.7	28.7
Regional Training Unit		0.2	1.6	1.6	1.6
% of 2010/11 baseline		0.9	6.8	6.8	6.8
Curriculum Development		6.0	6.0	6.0	6.0
% of 2010/11 baseline		25.0	25.0	25.0	25.0
Newcomers		0.1	0.1	0.1	0.1
% of 2010/11 baseline		0.3	0.3	0.3	0.3
Early Professional Development		0.0	0.2	0.2	0.2
% of 2010/11 baseline		0.0	0.8	0.8	0.8
CCEA		0.0	0.8	0.8	0.8
% of 2010/11 baseline		0.0	3.3	3.3	3.3

Area of Reduction	2010/11 Baseline	2011/12 Reduction	2012/13 Reduction	2013/14 Reduction	2014/15 Reduction
					£ms
Voluntary Grammar and GMI Schools	**23.6**				
Central Support Costs					
Entitlement Framework		0.7	0.7	0.6	-0.6
% of 2010/11 baseline		3.1	3.1	2.7	-2.4
Teacher Substitution Costs		0.0	0.1	0.1	0.1
% of 2010/11 baseline		0.2	0.3	0.3	0.4
CCMS	**4.1**				
Entitlement Framework		0.3	0.6	0.6	0.6
% of 2010/11 baseline		6.9	13.8	13.8	13.8
ALB Admin & Management Costs		0.4	0.5	0.5	0.5
% of 2010/11 baseline		10.8	10.8	10.8	10.8
Entitlement Framework	**18.3**				
ELB Earmarked Funding		4.9	6.6	9.7	12.6
% of 2010/11 baseline		27.1	36.3	53.2	68.9
NICIE - Entitlement Framework		0.0	0.1	0.1	0.1
% of 2010/11 baseline		0.1	0.3	0.3	0.3
CnaG - Entitlement Framework		0.0	0.0	0.0	0.0
% of 2010/11 baseline		0.1	0.1	0.1	0.1
AccessNI Costs	**1.2**				
AccessNI		1.0	1.0	1.0	1.0
% of 2010/11 baseline		86.7	86.7	86.7	86.7
Capacity Building	**8.3**				
SEN Integrated Capacity Building		3.8	3.8	2.2	1.8
% of 2010/11 baseline		45.8	45.8	26.2	22.0
ALB Admin & Management Costs	**51.3**				
CCEA		1.1	1.1	1.1	1.1
% of 2010/11 baseline		2.2	2.2	2.2	2.2
Staff Commission		0.0	0.1	0.1	0.1
% of 2010/11 baseline		0.1	0.1	0.1	0.1
ELBs Youth		0.8	0.8	0.8	0.8
% of 2010/11 baseline		1.6	1.6	1.6	1.6
Youth Council		0.1	0.2	0.2	0.2
% of 2010/11 baseline		0.1	0.4	0.4	0.4
GTCNI	**1.2**				
GTCNI		1.0	1.0	1.0	1.0
% of 2010/11 baseline		83.9	83.9	83.9	83.9
Departmental Administration (incl ESAIT)	**32.7**				
Departmental Administration (incl ESAIT)		2.7	3.2	3.7	4.2
% of 2010/11 baseline		8.3	9.8	11.3	12.9

Area of Reduction	2010/11 Baseline	2011/12 Reduction	2012/13 Reduction	2013/14 Reduction	2014/15 Reduction
					£ms
Funding for RPA Institutions	**2.9**				
RPA Institutions		2.9	0.0	0.0	0.0
% of 2010/11 baseline		100.0	0.0	0.0	0.0
Total Reductions		**101.5**	**146.9**	**175.5**	**206.1**

Note – Table may not add due to roundings

The Executive have agreed to ringfence Education from further reductions in the June Monitoring Round and have yet to announce the October Monitoring Paper.

Mr Spratt asked the Minister of Education what discussions he has had with the Belfast Education and Library Board on the provision of a new primary school on the Belfast City Hospital site.
(AQW 36569/11-15)

Mr O'Dowd: Neither I nor my officials have had any formal discussions or correspondence with the Belfast Education and Library Board (BELB) regarding the provision of a new primary school on the Belfast City Hospital site.

The responsibility for planning the controlled schools' estate in Belfast lies in the first instance with BELB. It is a matter for the Board to publish the necessary development proposals to establish this new school. To date it has not done so and therefore neither I nor my Department have any role at this stage.

I must stress that capital investment for this project cannot be considered by my Department without the support of an approved development proposal.

Mrs D Kelly asked the Minister of Education what discussions were held between the Southern Education and Library Board, the Council For Catholic Maintained Schools and Lismore Comprehensive School to allow pupils to continue to use Drumcree College facilities as a satellite amenity.
(AQW 36658/11-15)

Mr O'Dowd: I have been advised by CCMS that discussions were held with the SELB in early February 2014 about the financing of a satellite unit on the Drumcree site.

I am further advised that CCMS officials met the Chair of the Board of Governors and the principal of Lismore College in April 2014, to advise on the options being considered for the future of Drumcree College and to discuss any implications for Lismore College.

Mr Weir asked the Minister of Education to detail the level of funding his Department provided to nurture units in each of the last three years.
(AQW 36767/11-15)

Mr O'Dowd: The level of funding provided for the last 3 years to established nurture units by the Department of Education is as set out in the Table below:

Year	Total funding
2011/12	NIL
2012/13	£52,000
2013/14	£420,000

In addition to DE funding, OFMDFM are funding 20 new Nurture Units as part of the Delivering Social Change Nurture Signature Project and over the period requested, DSD have provided funding for a number of Nurture Units as part of their Neighbourhood Renewal Programme.

Mr Spratt asked the Minister of Education to outline the process followed by schools when a complaint of bullying has been made.
(AQW 36793/11-15)

Mr O'Dowd: Under Article 3 of the Education (NI) Order 1998 as amended by Article 19 (3) of the Education and Libraries (NI) Order 2003, all schools are required to have a discipline and good behaviour policy which addresses how the school will respond to incidents or complaints of bullying.

This policy must be developed with input from pupils and their parents and must be readily accessible. Principals and Boards of Governors (BoG) are required to adhere to the school's policy when responding to a complaint of bullying.

Typically an anti-bullying policy will ask parents to raise their initial concerns with a teacher and/or the school Principal. If they are unhappy with the school's subsequent actions they can then escalate their complaint by writing to the BoG. The governors will then review the complaint and determine if school policies have been correctly observed.

The precise nature of these arrangements is, however, a matter for each school to decide and not one in which the Department has a role.

Mrs Overend asked the Minister of Education to detail the action he has taken to hasten the payment of increments to those employed in the education sector, given the delays which have prevented implementation.
(AQW 36796/11-15)

Mr O'Dowd: I have secured the agreement of the Department of Finance and Personnel that where there is a clear contractual/statutory obligation on the part of employers to pay incremental progression payments at a point in the year prior to the settlement of pay negotiations, the Department of Education will be granted temporary cover for employers to make the necessary payments. This approach will enable employers to meet their contractual obligations in a timely manner and will ensure that staff employed in the education sector, do not have to wait for pay awards to be agreed before they receive their incremental progression.

Mr Campbell asked the Minister of Education who will be responsible for collating information on the numbers of teachers absent from work as a result of a physical assault in school, should a decision be taken that such information should be made available to the public.
(AQW 36798/11-15)

Mr O'Dowd: The Employing Authorities are responsible for the collation of information on the numbers of teachers absent from work as a result of physical assault. My Department does not employ teachers

Mrs Dobson asked the Minister of Education what support is provided to pupils who cannot attend school regularly due to illness in relation to ensuring (i) their education is as unaffected as possible; and (ii) they are able to undertake examinations.
(AQW 36833/11-15)

Mr O'Dowd: All Education and Library Boards (ELBs) provide support to pupils unable to attend their registered schools because of illness. This normally takes the form of one-to-one tuition which may be delivered in the home or another suitable location.

One-to-one tuition will form one element of the ELBs 'Education Otherwise Than At School' (EOTAS) services delivered under Article 86 of the Education (NI) Order 1998. One-to-one tuition is not intended to be an alternative to regular school attendance but to help the pupil to keep in touch with education and minimise the disruption to their learning during their treatment and recovery.

There are variations in how tuition services are delivered across each ELB, however, all have common core features. Each ELB:

- Provides a tuition service for children of compulsory school age;
- Provides 4-4 ½ hours of one-to-one tuition for each student per week focusing on English, Mathematics and Science/ ICT;
- Will liaise with the pupil's registered school to identify the pupil's educational baseline; and
- Will expect the pupil's registered school to provide additional notes, homework and e-learning opportunities etc to supplement the personal tuition it provides.

A pupil's registered school is expected to support them in taking any external examinations which they are able to undertake. While some ELBs can make arrangements to directly enter pupils to sit their exams, most liaise with the school to ensure that they enter the young person, in line with their examination arrangements for all other pupils.

It should be noted that there is no statutory requirement for ELBs to make any form of EOTAS provision available for children above compulsory school age and most do not routinely make tuition available to pupils aged 16+. Most Boards do, however, have exceptional circumstances provisions allowing them to consider extending its provision on a case-by-case basis.

Miss M McIlveen asked the Minister of Education what plans he has to review the membership of the Lisanelly Programme Delivery Board in light of the Executive's decision to establish a single Education Board.
(AQW 36854/11-15)

Mr O'Dowd: The Lisanelly Programme Board was reconstituted in January of this year and includes appropriate representation appointed by the school authorities involved in the Lisanelly Shared Education Campus Programme.

The Executive has agreed to the introduction of a draft bill to the Assembly to establish a single education authority. Consideration will be given to revising the membership of the Lisanelly Programme Board in line with emerging structures when that process is complete.

Miss M McIlveen asked the Minister of Education, pursuant to AQW 33589/11-15, what action he proposes to take in regard to the Education and Skills Authority Implementation Team now that the Education and Skills Authority is no longer a Programme for Government 2011/15 commitment; and to outline the implications for staff who have been backfilling posts.
(AQW 36855/11-15)

Mr O'Dowd: A streamlined Education and Skills Authority Implementation Team (ESAIT) has been retained as an integral part of DE. This comprises 15 staff: the CEO Designate and 14 full-time equivalents. The CEO designate is currently acting as interim Chief Executive of the Southern Education and Library Board with the remaining staff engaged in work to support DE and the Education and Library Boards (ELBs).

It is intended, following introduction of the Education Bill, that ESAIT staff will be utilised to support the implementation of the single Education Authority and will begin the necessary work as directed by the Programme Management Board (PMB).

The small number of staff currently backfilling posts for staff seconded from ELBs to ESAIT will continue to do so until the new Education Authority is established, after which they will revert to their substantive posts.

Miss M McIlveen asked the Minister of Education, pursuant to AQW 30072/11-1, for an update on progress.
(AQW 36857/11-15)

Mr O'Dowd: The first meeting of the Regional Advisory Group (RAG), took place on 11 June 2014 followed by a workshop on 3 October 2014. The RAG agreed the Terms of Reference for engagement and future dates for workshops. The workshops are intended to provide an arena for stakeholders to engage with and provide advice to the Education and Library Boards and the Youth Council to inform the development of the 2015-16 Regional Youth Development Framework.

Miss M McIlveen asked the Minister of Education how many meetings of the Strategic Planning and Policy Forum have taken place since its inception.
(AQW 36858/11-15)

Mr O'Dowd: The Strategic Planning and Policy Development Forum has been in operation since February 2011. It provides an opportunity for all of the recognised Trade Unions, employers and Sectoral Support Bodies to work with the Department to help shape and influence policy development and strategic planning before decisions are made.

The Forum meets quarterly and since its inception, there have been fifteen meetings.

Mr Weir asked the Minister of Education, pursuant to AQW 36350/11-15, given that there have been no changes to the statutory processes, what changes have been made to procedures of administrative processes, in the last three years.
(AQW 36873/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have advised that there have been no changes to ELB administrative procedures regarding the statutory assessment and statementing process in the last three academic years.

Mr Agnew asked the Minister of Education whether he is aware of the situation whereby young people in Beechcroft Child and Adolescent Mental Health Service inpatient unit are being denied access to education if they are enrolled in further education; and if so, what steps are being taken to ensure that this situation is remedied.
(AQW 36890/11-15)

Mr O'Dowd: The education unit at Beechcroft is funded by the Department of Education to provide education for young people who are inpatients at Beechcroft and are registered in schools across the north of Ireland. All registered pupils entering Beechcroft receive education in the appropriate Key Stage, aligned with their individual educational requirements and taking account of their therapeutic needs.

In the case of inpatients that are aged 16+ and attending Colleges of Further Education, they are outside of compulsory education. Colleges are managed and funded by the Department for Employment and Learning (DEL) not the Department of Education.

Ms Sugden asked the Minister of Education to detail the expected pupil intake at Coleraine High School for the 2015 academic year.
(AQW 36896/11-15)

Mr O'Dowd: A Development Proposal was approved on 26 September 2014 for the amalgamation of Coleraine Academical Institution and Coleraine High School as a new voluntary grammar school to be established from 1 September 2015 or as soon as possible thereafter. As a result of this, the intended admission number for the new school for the 2015/16 academic year is 150 pupils.

Ms Sugden asked the Minister of Education to detail (i) the stakeholders identified; (ii) the number of responses received; and (iii) a breakdown of the nature of responses during the consultation period leading up to the merger of Coleraine High and Coleraine Institution and increased enrolment at Coleraine College.
(AQW 36899/11-15)

Mr O'Dowd: A statutory Development Proposal (DP) is required where a significant change to a school, such as an amalgamation, is proposed. The DP process is contained in Article 14 of the Education and Libraries (NI) Order 1986.

Prior to the publication of a DP, the statutory process requires the proposer to consult with the Board of Governors, staff and parents of pupils at the school or schools concerned. In the case of the Coleraine schools, the North Eastern Education and Library Board is the proposer of the DPs for the controlled schools – Coleraine High and Coleraine College – while the Trustees of Coleraine AI, a voluntary school, are the proposer for its DP. The Board is additionally responsible for consulting any other school which would, in its opinion, be affected by the proposal.

You may wish to contact the North Eastern Board and Coleraine AI in respect of their pre-publication consultations.

The Department's role in the process commences once a DP is published. The publication of the DP initiates a two-month period during which objections and comments can be sent directly to the Department. With regard to Development Proposals 288, 289 and 290 for the amalgamation of Coleraine Academical Institution and Coleraine High School, no comments were received during the two-month period.

You may wish to note that my decision on each DP and the documentation on which I based that decision are available on the Department of Education's website: http://www.deni.gov.uk/index/schools-and-infrastructure-2/area-planning/14-schools_estate_devprop_pg.htm.

Mr Lyttle asked the Minister of Education for an update on the introduction of the Elluminate Scheme for pupils who are unable to attend classes.
(AQW 36940/11-15)

Mr O'Dowd: Elluminate is one of a number of available e-Learning tools which can be used to help pupils who are unable to attend classes, however, it should not be considered the only appropriate e-Learning tool to help such pupils.

The Joint Working Party (which is comprised of representatives of the teaching unions and employing authorities) set up a working group to develop a protocol on Home to School e-Learning. This protocol is nearing completion and some final amendments are currently being considered.

Mr Gardiner asked the Minister of Education to outline the projected savings from the creation of a single Education Board.
(AQO 6770/11-15)

Mr O'Dowd: The business case for the establishment of the New Education Authority (which will replace the five Education and Library Boards and the Staff Commission) has not yet been finalised, it is anticipated that savings will be realised comparable in scale to those expected from ESA (£185m over its first 10 years).

Mrs Hale asked the Minister of Education for an update on the proposed new build for Dromore High School.
(AQO 6774/11-15)

Mr O'Dowd: I approved a protocol which was used to prioritise those schools to be advanced in planning for inclusion in my announcement of 24 June 2014. While Dromore High School was submitted as a potential project by the SELB and was scored under the protocol, it did not attract a sufficiently high ranking to be included in the announced list. However, I have asked the Southern Education and Library Board to undertake an assessment of options for purchase of land for a potential future new build project for the school. An economic appraisal has been prepared and submitted to DFP for approval. A decision is anticipated before the end of November.

Mrs Dobson asked the Minister of Education what steps he is taking to improve the security in schools for both pupils and staff.
(AQO 6773/11-15)

Mr O'Dowd: The steps to improve the security in schools for both pupils and staff are detailed in the Department's guidance entitled "Security and Personal Safety in Schools". This guidance can be accessed on the Department's website and details the roles and responsibilities of the Employing Authority, Board of Governors and the School Principal.

Should a school have concerns about security measures they should in the first instance contact the relevant managing authority.

School security is a major factor in the design of a new school building. However, many existing schools were not designed with security in mind. If the school authority considers that security at these schools needs to be improved, then depending on the management type of the school and the type of works proposed, an application for a capital minor work may be considered by, either the education and library board, for controlled schools, or the Department, if it is a school in the non-controlled sectors.

Mr Beggs asked the Minister of Education for his assessment of the impact of the current budgetary pressures faced by the Executive on his Department's Major Capital Projects.
(AQO 6775/11-15)

Mr O'Dowd: The current in-year pressures faced by my Department are related to the recurrent budget and, as such, have a minimal impact on progression of Major Capital Projects.

It is not possible to assess the potential impact in FY15/16 and beyond as the capital budget for this period has yet to be agreed by the Executive.

Mr Clarke asked the Minister of Education for an update on a new build for Parkhall Integrated College, Antrim.
(AQO 6776/11-15)

Mr O'Dowd: A new school for Parkhall Integrated College was included in my January 2013 Capital Announcement.

The project is well advanced in planning and a revised RIBA Stage D was to be submitted to my Department by 6 October 2014. A revised planning application has also to be submitted to Planning Service but concerns regarding a Flood Risk Assessment and Traffic Management proposals have still to be addressed.

It is anticipated that construction work will start in May/June 2015 with the main construction works completed by June 2017.

Mr McKay asked the Minister of Education what measures he is taking to assist pre-school organisations to address learning barriers amongst young children.
(AQO 6777/11-15)

Mr O'Dowd: In 'Learning to Learn - A Framework for Early Years Education and Learning', I set out a series of actions aimed at ensuring that all children could access high quality early learning experiences that equip them to develop improved cognitive, social and emotional skills and which lay important foundations for future learning and development.

A key action was to target barriers to learning by:

refocusing the use of extended schools (ES) funding for eligible statutory settings to ensure that the extra support helps identify and address underdeveloped social, emotional, communication and language skills of young children; and

establishing criteria, similar to that used for ES, for non-statutory settings in the Pre-School Education Programme to access additional resources proportionate to the amount they receive per place.

ES funding has been refocused, and I have recently announced almost £200,000 additional funding for 94 non-statutory eligible pre-school settings offering funded pre-school places in 2014/15. This additional funding will help identify and address barriers to learning at the earliest opportunity.

Additionally the Special Educational Needs Review's (SEN) capacity building programme operated an early years pilot in DE funded pre-school settings across all boards for three years to September 2014. This aimed to increase the capacity of staff in participating settings to identify, assess and make provision for children with special educational needs. Boards are making interim arrangements from October 2014 to March 2015 to ensure the momentum of the pilot continues subject to a comprehensive evaluation and decisions about the future shape of SEN provision in pre-school settings.

Mr G Kelly asked the Minister of Education to outline the functions and funding arrangements of the Controlled Schools Sectoral Body, which is to be established as part of the new Education Bill.
(AQO 6778/11-15)

Mr O'Dowd: The new organisation that will provide representation and support for Controlled Schools shall be funded by my Department in accordance with my commitment to provide for the new organisation. Since the Executive meetings of 9 and 25 September, this committment is now shared by the Executive. I have also instructed my officials to explore a more robust underpinning to my commitment.

The functions that this body shall be funded to perform have also been formally agreed by the Executive on 9 September, 2014. These are:

- To provide a representational and advocacy role for controlled schools, including advice and support in responding to consultation exercises in respect of education policies, initiatives and schemes, and in regard to relationships with the Department, the Education Authority and other Departments;
- To work with schools within the sector to develop and maintain the collective ethos of the sector including, where appropriate, a role in identifying, encouraging and nominating governors and in ensuring ethos is part of employment considerations;
- To work with the Education Authority to raise educational standards;
- To participate in the planning of the schools estate, assessing current and ongoing provision within the sector, participating in area-based planning co-ordinated by DE and the Education Authority (including membership of the Department's Area Planning Steering Group) and engaging where appropriate in strategic planning processes, including community planning; and
- To build co-operation and engage with other sectors in matters of mutual interest, including promotion of tolerance and understanding.

Mr Hilditch asked the Minister of Education for an update on the progress of the shared access to school estate facilities strategy.
(AQO 6779/11-15)

Mr O'Dowd: The Departmental Guidance Community Use of School Premises: A Guidance Toolkit for Schools which seeks to encourage and assist schools in providing for community access to school facilities was published and issued to all schools in January 2014.

Department for Employment and Learning

Mrs Cochrane asked the Minister for Employment and Learning to detail (i) the number of staff employed in his Department broken down by grade; and (ii) the total salary for each grade, for each financial year since 1 April 2010.
(AQW 35388/11-15)

Dr Farry (The Minister for Employment and Learning):

(i) The number of staff employed in the Department for Employment and Learning broken down by grade for each financial year since 1 April 2010 is as follows:

Grade	31/03/11	31/03/12	31/03/13	31/03/14
Senior Civil Servant	11.00	11.81	10.81	11.00
Grade 6	6.00	7.00	8.00	8.00
Grade 7	52.64	50.33	57.83	61.25
Deputy Principal	118.18	124.02	122.86	136.97
Staff Officer	189.84	184.35	190.41	203.12
Executive Officer 1	313.92	319.14	319.70	331.54
Executive Officer 2	620.45	610.07	634.92	641.07
Administrative Officer	589.99	598.88	619.32	619.52
Administrative Assistant	76.78	63.68	54.47	53.45
Total	**1978.80**	**1969.28**	**2018.32**	**2065.92**

(ii) The total salary for each grade, for each financial year since 1 April 2010, in the Department for Employment and Learning, is as follows:

Grade	2010/11	2011/12	2012/13	2013/14
Senior Civil Servant	£855,641	£900,970	£817,455	£815,314
Grade 6	£348,192	£412,399	£475,256	£478,924
Grade 7	£2,463,133	£2,398,572	£2,803,291	£3,006,071
Deputy Principal	£4,269,359	£4,545,087	£4,580,487	£5,127,008
Staff Officer	£5,471,142	£5,367,349	£5,590,388	£6,088,534
Executive Officer 1	£7,642,651	£7,890,629	£8,336,758	£8,846,259
Executive Officer 2	£13,394,282	£13,436,392	£15,031,103	£15,607,649
Administrative Officer	£11,515,315	£12,030,246	£12,786,315	£13,104,333
Administrative Assistant	£1,199,001	£1,018,850	£887,228	£899,410
Total	**£47,158,716**	**£48,000,494**	**£51,308,281**	**£53,973,502**

Staff in post and salary figures relate to staff who are employees of the Department for Employment and Learning. Details relating to Payroll only staff (i.e. Office of the Industrial Tribunals and the Fair Employment Tribunal (OITFET) Chairmen, Board Members and Industrial Court Members) are not included.

Mr Swann asked the Minister for Employment and Learning for his assessment of the increase in the number of temporary workers between April and June 2011 to April and June 2014 and the permanency of these positions.
(AQW 35649/11-15)

Dr Farry: The Department of Finance and Personnel's Labour Force Survey includes a question about whether a job is permanent or non-permanent. On the basis of the Labour Force Survey, there was an estimated increase of 17,000 in the number of temporary workers between April – June 2011 (34,000) when compared to the statistics for April – June 2014 (51,000).

It is likely that the increase in temporary jobs reflects the current fluidity.

Mr Allister asked the Minister for Employment and Learning for his assessment of the imbalance in the community background of the admissions to the Institute of Professional Legal Studies at Queen's University, Belfast; and what steps are being taken to address this imbalance.
(AQW 35936/11-15)

Dr Farry: Queen's University, Belfast is responsible for its own policies and procedures, including admissions and any issue in relation to imbalance is a matter for the University to address. However, Departmental officials contacted the university and it has provided the following details on the admissions process:

"The admissions process to the Institute of Professional Legal Studies (IPLS) and the Graduate School of Professional Legal Education at the University of Ulster is governed by the Council of Legal Education, made up of representatives of Queen's University Belfast, the University of Ulster, the Law Society of Northern Ireland, the Bar Council of Northern Ireland and the judiciary.

"In order to apply to be admitted to IPLS, applicants must already have obtained a qualifying law degree. Most IPLS applicants are graduates of either the School of Law at Queen's University Belfast or the School of Law at the University of Ulster.

"In addition to having a law degree, applicants must sit a competitive admissions exam. The mark obtained in this exam, combined with a weighting for the classification of their law degree is used to compile orders of merit for the Solicitor course and the Bar course respectively.

Additionally, in order to be admitted as a Solicitor trainee, applicants must have independently obtained an apprenticeship in a solicitor's firm.

In order to be admitted as a Bar trainee, applicants must have graduated with at least a lower second class classification."

Mr Lyttle asked the Minister for Employment and Learning what departmental services he has made available to the public via the post office network.
(AQW 36088/11-15)

Dr Farry: My Department does not make any services available to the public via the post office network.

Mr Frew asked the Minister for Employment and Learning how many people have graduated with an Upper Second-Class Honours or above from (i) Queen's University, Belfast; and (ii) the University of Ulster since 2011.
(AQW 36412/11-15)

Dr Farry: The table below details the number of students graduating from Queen's University, Belfast and the University of Ulster with an Upper Second Class Honours or above, since 2011.

		2010/11	2011/12	2012/13
Queen's University, Belfast	First Class Honours	650	595	690
	Upper Second Class Honours	1865	1825	1870
	Total	**2520**	**2420**	**2560**
University of Ulster	First Class Honours	560	610	655
	Upper Second Class Honours	1930	2250	2305
	Total	**2490**	**2855**	**2960**
Total	First Class Honours	1215	1205	1350
	Upper Second Class Honours	3795	4070	4175
	Total	**5010**	**5275**	**5525**

Source: Higher Education Statistics Agency (HESA)

Notes:

(i) Figures have been rounded to the nearest 5 in line with HESA policy.

(ii) The latest available data are for the 2012/13 academic year.

Ms Sugden asked the Minister for Employment and Learning for a numerical break-down, by (i) gender; (ii) age; (iii) disability; and (iv) ethnicity, of the Governing Bodies of each Further Education College, including the College of Agriculture, Food and Rural Enterprise.
(AQW 36452/11-15)

Dr Farry: As part of my Department's commitment to equality of opportunity, membership of the Governing Bodies of the six further education colleges is monitored in line with the requirements of Section 75 of the Northern Ireland Act 1998.

However, Governing Body members are not compelled to provide this information and do so on a voluntary basis. As such, my Department only holds incomplete records in relation to the information requested. The table at Annex A outlines the information held on each further education college Governing Body at 30th September 2014.

Responsibility for oversight of the College of Agriculture, Food and Rural Enterprise (CAFRE) belongs to the Department for Agriculture and Rural Development. The Minister for Agriculture and Rural Development has advised me that CAFRE does not have a Governing Body.

Governance is provided within the structure of the Department. A College Advisory Group exists to provide advice at a strategic and operational level to the College Director and College Management Team. This group comprises representatives from external stakeholder groups across a number of sectors which are relevant to the work of the College. DARD does not hold Equality Monitoring information about this group; however the gender breakdown is two females and eleven males.

Annex A

College	Current Number of Governors	Gender		Age						Disability			Race		
				Under 30	30-39	40-49	50-59	Over 60	Not Known	Yes	No	Not Known	Caucasian	Other	Not Known
Belfast Metropolitan College	18	Male	13	0	1	1	4	5	2	0	13	0	13	0	0
		Female	5	1	0	1	3	0	0	0	5	0	5	0	0
		Total	**18**	**1**	**1**	**2**	**7**	**5**	**2**	**0**	**18**	**0**	**18**	**0**	**0**
Northern Regional College	17	Male	11	1	0	2	2	3	3	0	11	0	11	0	0
		Female	6	0	0	4	0	1	1	0	6	0	5	1	0
		Total	**17**	**1**	**0**	**6**	**2**	**4**	**4**	**0**	**17**	**0**	**16**	**1**	**0**
North West Regional College	15	Male	11	0	1	1	3	2	4	0	11	0	11	0	0
		Female	4	0	0	2	0	1	1	0	3	1	4	0	0
		Total	**15**	**0**	**1**	**3**	**3**	**3**	**5**	**0**	**14**	**1**	**15**	**0**	**0**
South Eastern Regional College	16	Male	12	1	0	2	3	3	3	0	12	0	12	0	0
		Female	4	0	0	1	1	0	2	0	3	1	4	0	0
		Total	**16**	**1**	**0**	**3**	**4**	**3**	**5**	**0**	**15**	**1**	**16**	**0**	**0**
Southern Regional College	18	Male	11	1	3	0	5	2	0	0	11	0	11	0	0
		Female	7	0	1	2	0	2	2	0	7	0	7	0	0
		Total	**18**	**1**	**4**	**2**	**5**	**4**	**2**	**0**	**18**	**0**	**18**	**0**	**0**

College	Current Number of Governors	Gender		Age						Disability			Race		
				Under 30	30-39	40-49	50-59	Over 60	Not Known	Yes	No	Not Known	Caucasian	Other	Not Known
South West College	18	Male	14	0	0	2	3	5	4	0	13	1	13	0	1
		Female	4	0	0	1	1	1	1	0	4	0	4	0	0
		Total	**18**	**0**	**0**	**3**	**4**	**6**	**5**	**0**	**17**	**1**	**17**	**0**	**1**
Overall Total	102	Male	72	3	5	8	20	20	16	0	71	1	71	0	1
		Female	30	1	1	11	5	5	7	0	28	2	29	1	0
		Total	**102**	**4**	**6**	**19**	**25**	**25**	**23**	**0**	**99**	**3**	**100**	**1**	**1**

Mr Swann asked the Minister for Employment and Learning, pursuant to AQW 35621/11-15 and AQW 35622/11-15, whether the organisations listed in AQW 35621/11-15 have staff who hold the qualifications stated in AQW 35622/11-15 to enable them to deliver the Extractives and Minerals Processing apprenticeship frameworks.
(AQW 36488/11-15)

Dr Farry: When the ApprenticeshipsNI contracts were awarded both South West College and Southern Regional College had the appropriate teaching/training staff in place to deliver the Extractives and Minerals Processing apprenticeship framework.

South West College continues to have staff who hold the qualifications to enable them to deliver the Extractives and Minerals Processing apprenticeship frameworks

Since the award of contract, there have been some staff changes in Southern Regional College and additional specialist staff are required for a few areas of delivery. The college is confident that if a demand was identified then they could recruit the required specialist staff in advance of training commencing.

Neither Training Supplier has been approached to deliver training for this framework. Should a need for Extractives and Minerals Processing apprenticeship framework training be identified, both Training Suppliers have provided assurance that they will be in a position to deliver the appropriate training.

Mr P Ramsey asked the Minister for Employment and Learning to outline the budget and staff compliment of the Disability Employment Service for the 2011-15 budget period; and any anticipated reductions in funding or staffing for the 2015 period or the 2016-2020 budget period.
(AQW 36515/11-15)

Dr Farry: The Disability Employment Service is an integral part of my Department's Employment Service. Its specific role is to support and assist people with health conditions and disabilities to progress towards, move into and stay in employment.

The Disability Employment Service provides a range of disability related employment programmes and services including Access to Work, Workable, Work Connect, the Job Introduction Scheme and Condition Management Programme.

In the 2011-15 period, the staff complement has remained at a relatively consistent level. In April 2011, the total complement was 43 whilst at September 2014, it was 39. This slight reduction was due to some internal reorganisation following the full roll-out of the Pathways to Work initiative, as well as local management responding favourably to staff requests for more flexible working hours, as opposed to any suppression of posts.

The Department is currently working on the development of a new Disability Employment Strategy for Northern Ireland. This is being developed in close partnership with the local disability sector.

A major consideration for the Department emanating from the strategy is the appointment of specialist Disability Employment Officers who would deliver a dedicated, person-centred service for people with significant disability related barriers to employment. At present, it is envisaged that this would require approximately nine additional members of staff to deliver this service.

The budget expenditure on specialist health and disability programmes, managed and delivered by the Disability Employment Service during this period is as follows:

- 2011/12 - £12.922m
- 2012/13 - £12.983m
- 2013/14 - £14.137m
- 2014/15 to end of September - £7.373m

The disparity between annual expenditure is primarily due to the demand led nature of specialist disability employment provision. During these years, the Disability Employment Service baseline budget has remained consistent, and it should be noted that, during this period, no client has been refused access to the range of provision due to financial constraints.

In relation to future years, all government departments are and will be required to make difficult financial decisions, so it is impossible to say at this time how the Disability Employment Service will be impacted.

However, I have total confidence that the Disability Employment Service will continue to play a key role, working with key partners and stakeholders to ensure that people with disabilities are provided with the tailored support and assistance they need to help them achieve their employment goals.

Mr Swann asked the Minister for Employment and Learning for his assessment of the tendering process for catering services at the Northern Regional College.
(AQW 36526/11-15)

Dr Farry: The tendering process for catering services at the Northern Regional College is an operational matter for the College itself. My Department has no role.

Mr Swann asked the Minister for Employment and Learning what steps he will take to ensure that the Northern Regional College follows its statutory duty under the Acquired Rights Directive in relation to any change of catering provider.
(AQW 36527/11-15)

Dr Farry: A change of catering provider is an operational matter for Northern Regional College (NRC); my Department has no role.

As an employing authority in its own right, NRC is responsible for adhering to all relevant aspects of employment legislation. This includes the provisions of the Acquired Rights Directive, as implemented through the Transfer of Undertakings (Protection of Employment) Regulations 2006.

Mr Swann asked the Minister for Employment and Learning why an in-house bid was not supported for the tendering of the catering contract for the Northern Regional College.
(AQW 36528/11-15)

Dr Farry: The tendering process for catering services at the Northern Regional College is an operational matter for the College itself. My Department has no role.

Mr Gardiner asked the Minister for Employment and Learning what use his Department has made of video conferencing facilities in the last three years.
(AQW 36593/11-15)

Dr Farry: In the last three years the Department for Employment and Learning (DEL) has made increasing use of video conferencing facilities in order to improve operational effectiveness and reduce the Department's carbon footprint, travel time and associated costs.

DEL owns seven standalone Video Conferencing Units. These have been distributed throughout Northern Ireland and can be used by all staff.

All DEL staff at Grade 7 and above have been provided with desktop video conferencing and sixteen Careers Service staff (mobile workers who use laptops with inbuilt web cameras) and have been provided with headsets so that they can use video conferencing.

Mrs Dobson asked the Minister for Employment and Learning, pursuant to AQW 24665/11-15, when this facility will be approved; and when construction will begin.
(AQW 36604/11-15)

Dr Farry: I am pleased to advise you that the Business Case for the Armagh, Banbridge and Craigavon campus developments in the Southern Regional College has received all the necessary approvals and the procurement of a Design Team has begun. The site for the Craigavon campus has not been formally identified although there are a number of options under consideration. Construction cannot commence until the design has been completed and Planning Approval has been obtained. Thereafter the construction element of the contract will be tendered and an Award of Contract can be made.

My Department and the Southern Regional College wish to pursue this without delay. However the mandatory protocols for major capital developments including the notifications to the Official Journal of the European Union, detailed design phase and securing relevant statutory approvals, are such that construction is still some time off and unlikely to commence until late 2016. My officials however, will be ensuring that all steps possible will be taken to mitigate potential delaying factors.

You should note that no capital funding can be committed by the Executive beyond the current budget period and while my Department has not been allocated any capital budget from the Northern Ireland 'block' post 2014-15, the working assumption is that the Executive will honour existing contractual commitments in future spending review allocations.

Mr Campbell asked the Minister for Employment and Learning to outline the long term future for the services, training opportunities and skills based classes currently provided by the Northern Regional College based at Union Street, Coleraine.
(AQW 36675/11-15)

Dr Farry: The Northern Regional College is currently preparing a business case for the provision of further education in the Ballymoney, Coleraine and Ballymena areas. Until the outcome of that business case is known and associated funding identified, it is not possible to provide details on the future curriculum to be provided by the College.

Mr Weir asked the Minister for Employment and Learning how many student accommodation places each university provided in each of the last ten years; and how these figures compare with the growth in the number of university places.
(AQW 36712/11-15)

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 student accommodation.

As my Department does not hold the information you have requested I have asked officials to refer your question to the higher education institutions so that they can respond to you directly on this matter.

Mr Spratt asked the Minister for Employment and Learning to detail the number of students who left Northern Ireland to attend university in other parts of the UK in each of the last three years.
(AQW 36766/11-15)

Dr Farry: The table below details the number of Northern Ireland Domiciled enrolments in universities in England, Scotland and Wales from 2010/11 to 2012/13.

Academic year	First year enrolments				All enrolments			
	England	Scotland	Wales	Total	England	Scotland	Wales	Total
2010/11	5,090	1,360	235	6,690	11,690	4,520	515	16,730
2011/12	5,555	1,365	265	7,185	12,500	4,440	570	17,510
2012/13	4,235	1,135	215	5,585	11,800	4,195	575	16,570

Source: Higher Education Statistics Authority (HESA)

Notes:

1. The latest available data are for the 2012/13 academic year.
2. Figures in the table have been rounded to the nearest 5 in line with HESA policy.
3. Figures for NI domiciled enrolments at the Open University have been excluded from the above table. Although the Open University is defined as an English Institution, it is likely that any NI domiciled enrolments will not be based in England.

Mrs Overend asked the Minister for Employment and Learning when he expects people working in the Further Education sector to be paid their increments from 2012/13.
(AQW 36805/11-15)

Dr Farry: Further education employers inform me that the increments from 2012/13 were paid as follows:

Non-Teaching Staff	paid April 2012
Lecturing staff	paid September 2012
Principals and Vice Principals	paid September 2012 or the anniversary date of appointment

Mrs Overend asked the Minister for Employment and Learning what discussions he has had with the Minister of Education on the pay increments which have yet to be paid to staff in the Further Education sector.
(AQW 36806/11-15)

Dr Farry: Responsibility for pay issues in the further education sector lies with my Department, insofar as approving the regularity and affordability of any pay remit to be submitted to the Department of Finance and Personnel. College employers are directly responsible for agreeing pay settlements with staff representatives and making any subsequent payments. As the Department of Education has no role in this matter, I have not had any pay-related discussions with the Minister of Education.

Ms Sugden asked the Minister for Employment and Learning what steps his Department has taken to advertise further and higher education as an accessible and viable option for young people who are Not in Education, Employment or Training.
(AQW 36822/11-15)

Dr Farry: My Department has a keen interest in promoting participation for all young people into education, including those who are Not in Education, Employment or Training (NEET), and actively promotes further and higher education through the 'Skills to Succeed' communications campaign, which includes strands on Essential Skills, Apprenticeships, Training for Success, Foundation Degrees and 'Reach Higher' which encourages widening participation in higher education – also referred to below.

In addition, my Department's Careers Service supports all 16 and 17 years olds who are NEET. Careers advisers currently work with these individuals to ensure they receive information, advice and guidance tailored specifically to their individual needs. This includes advice on a range of options including provision offered within both further and higher education.

Further education colleges currently offer an extensive range of courses as part of their curriculum provision from non-accredited, beginner courses, up to and including Level 5 provision. These courses are marketed proactively by colleges using their websites and prospectuses and by the active use of a variety of advertising opportunities through local press publications and also through social media. As part of their widening access and participation plans, colleges also provide community information events which are targeted at under-represented groups including young people in NEET situations.

In addition, where colleges are delivering projects under the Collaboration Innovation Fund, the European Social Fund or the Department for Social Development's Neighbourhood Renewal, the young people participating are made aware of opportunities for progression to mainstream programmes in further and higher education.

Regarding higher education, my Department launched its Reach Higher advertising campaign in early 2014, running a series of advertisements across a variety of outlets including television, radio and adshels/billboards. This campaign was intended to increase awareness of the potential value, accessibility and benefits of higher education to young people from disadvantaged backgrounds.

In addition, the Department has also been working closely with all higher education institutions to promote Foundation Degrees. This promotion campaign started in 2013 and will continue to run throughout 2014/15, communicating the message that a Foundation Degree can equip any individual with a combination of technical skills, academic knowledge and other vital skills to help secure employment. There are a wide range of subjects on offer, and the flexibility to study part time makes Foundation Degrees more attractive and accessible.

In May 2012, the Northern Ireland Executive agreed a cross-departmental strategy specifically for those young people in the Not in Education, Employment or Training (NEET) category, the "Pathways to Success" strategy. 'Pathways to Success' has a particular focus on helping those young people who face barriers to participation, while also dovetailing with complementary proposals to tackle the wider problem of youth unemployment in the current challenging economic context.

The strategy, which is led and implemented by DEL, is made up of a three tier package aimed at:

- preventing young people missing opportunities for education and training, and/or becoming unemployed;
- helping young people in the 16-18 age group, especially those facing barriers; and
- assisting unemployed young people aged 18-24 more generally.

In respect of further and higher education, the 'Pathways to Success' strategy specifically states that: "a range of measures are in place in recognition that young people who enrol on further education provision may require encouragement, motivation and support to complete their studies".

In addition to the programmes I have outlined above, there are three programmes that are directly focused on those young people facing barriers to employment, education and training. Firstly, the Collaboration and Innovation Fund, which is aimed at exploring new approaches to address the specific and general employability barriers faced by those young people aged 16 to 24 who are not in education, employment or training (NEET). Funding of over £9.2 million has been allocated to 24 organisations from the community, voluntary and educational sectors to deliver project activity between December 2012 and March 2015. To date, 3,910 young people have commenced project activities, and of the 2,488 leaving the programme 1,781 have completed activities and 1,296 have moved into positive outcomes of employment (363), education (306) and training (627).

Secondly, the Community Family Support Programme, which focuses on the needs of the most disadvantaged families, to enable young people to re-engage with employment, education, or training. This programme has received further financial support from OFMDFM, and has been designated as a Signature Project under the Delivering Social Change initiative. Currently there are 118 participants on the programme who are aged 16 to18.

Finally, the Local Employment Intermediary Service (LEMIS), which is an initiative designed to help unemployed people in the community overcome those issues that may be preventing them from finding and keeping a job. During the period April 2013 to August 2014, LEMIS case loaded 4,092 individuals to the programme and 1,587 (38%) of these were young people aged 16-24 not engaged in education, employment or training. As a result, 502 (31%) young people moved into positive destinations, 229 (14%) commenced employment, 248 (15%) commenced training and 25 (1.5%) moved into education.

Department of Enterprise, Trade and Investment

Mr Storey asked the Minister of Enterprise, Trade and Investment to outline the steps she has taken to boost the tourism potential of North Antrim, including the (i) details of investment; (ii) dates of investment; (iii) recipients of investment; and (iv) amounts invested, in each of the last three years.
(AQW 36069/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): NITB INVESTMENT:

Tourism Development Scheme:

1 April 2013 – 31 March 2014:

Not applicable.

1 April 2012 – 31 March 2013:

Details:	Dates:	Recipients:	Amount(s):
Portglenone Marina Phase III	September 2012	Ballymena Borough Council	£617,682

Details:	Dates:	Recipients:	Amount(s):
Drumaheglis Marina Development	September 2012	Ballymoney Borough Council	£179,730
		Total:	**£797,412**

1 April 2011 – 31 March 2012:

Details:	Dates:	Recipients:	Amount(s):
Ballycastle Town Trails	November 2011	Moyle District Council	£70,500
		Total:	**£70,500**

Tourism Events Funding Programme:

1 April 2013 – 31 March 2014:

Details:	Dates:	Recipients:	Amount(s):
*Northern Ireland Milk Cup	July 2013	Milk Cup organizing committee	£25,000
Race of Legends	July 2013	Armoy Road Racing & Motorcycle Club	£15,000
Northern Ireland Open Challenge	August 2013	Galgorm Castle Golf Club	£99,500
		Total:	**£139,500**

* Please note only elements of the event take place in the North Antrim Constituency. We cannot determine what percentage of NITB's investment was made in this specific constituency.

1 April 2012 – 31 March 2013:

Details:	Dates:	Recipients:	Amount(s):
*Northern Ireland Milk Cup	July 2012	Milk Cup organizing committee	£35,000
Race of Legends	July 2012	Armoy Road Racing and Motorcycle Club	£25,000
Northern Ireland PGA EuroPro Open	August 2012	Galgorm Castle Golf Club	£15,000
		Total:	**£75,000**

* Please note only elements of the event take place in the North Antrim Constituency. We cannot determine what percentage of NITB's investment was made in this specific constituency.

1 April 2011 – 31 March 2012:

Details:	Dates:	Recipients:	Amount(s):
*Northern Ireland Milk Cup	July 2011	Milk Cup organizing committee	£40,000 (direct investment from NI Executive)
*Giant's Causeway Coast Sportive	September 2011	CAAN	£15,000
		Total:	£55,000

* Please note only elements of the event take place in the North Antrim Constituency. We cannot determine what percentage of NITB's investment was made in this specific constituency.

1 April 2011 – 31 March 2012:

Details:	Dates:	Recipients:	Amount(s):
NI2012: Our Time; Our Place Programme: The Flags at Giants Causeway (Hans Peter Kuhn Flags Installation project)	2012	Third Space Gallery	£75,000
		Total:	**£75,000**

Invest Northern Ireland Investment:

Business Support: 1 April 2011 – 31 March 2012:

Detail:	Approval Date:	Client Trading Name:	Total Assistance Offered:
Innovation Based Project	24/11/2011	Galgorm Manor Hotel Limited	£720
Innovation Based Project	19/01/2012	Galgorm Manor Hotel Limited	£7,025
Innovation Based Project	22/12/2011	Galgorm Manor Hotel Limited	£3,354
Job Creation Project	11/08/2011	Adair Arms Hotel	£130,000
Innovation Based Project	24/08/2011	Triangle Housing Association	£2,340
		Total	**£143,439**

1 April 2012 – 31 March 2013:

Detail:	Approval Date:	Client Trading Name:	Total Assistance Offered:
Innovation Based Project	08/11/2012	Galgorm Manor Hotel Limited	£2,550
Business Growth Project	31/08/2012	Galgorm Manor Hotel Limited	£2,250
Innovation Based Project	08/01/2013	Bushmills Hotels Limited	£2,550
Innovation Based Project	18/02/2013	Bushmills Hotels Limited	£3,252
Innovation Based Project	14/03/2013	Bushmills Hotels Limited	£5,829
Innovation Based Project	09/08/2012	Vincent Hurl	£1,625
Innovation Based Project	07/01/2013	Lorna and Tony Boyce	£1,500
Innovation Based Project	19/06/2012	E & C Inns Ltd	£6,750
Innovation Based Project	19/03/2013	Triangle Housing Association Limited	£4,000
		Total:	**£30,306**

1 April 2013 – 31 March 2014:

Detail:	Approval Date:	Client Trading Name:	Total Assistance Offered:
Job Creation Project	24/12/2013	Galgorm Manor Hotel Limited	£650,000
Innovation Based Project	23/04/2013	Bushmills Hotels Limited	£2,490
Innovation Based Project	22/04/2013	Bushmills Hotels Limited	£2,615
Job Creation Project	13/03/2014	Triangle Housing Association Limited	£50,000
Job Creation Project	15/05/2013	Marine Hotel (Ballycastle) Ltd	£78,000
Innovation Based Project	28/05/2013	Marine Hotel (Ballycastle) Ltd	£2,880
Innovation Based Project	23/04/2013	Marine Hotel (Ballycastle) Ltd	£11,660
Innovation Based Project	20/06/2013	Marine Hotel (Ballycastle) Ltd	£2,664
Innovation Based Project	09/09/2013	Marine Hotel (Ballycastle) Ltd	£2,490
Innovation Based Project	27/06/2013	Daryl Adams T/A The Big House	£9,284
		Total:	**£812,083**
		Invest NI Overall Total:	**£985,828**

Mr Dunne asked the Minister of Enterprise, Trade and Investment for an update on the plans for a new cruise ship docking area in Belfast Harbour.
(AQW 36293/11-15)

Mrs Foster: In 2013, Belfast Harbour announced a £7million capital investment for the creation of a new purpose built cruise facility (the only purpose built facility on the island of Ireland) at Alexandra Quay in Titanic Quarter.

Environmental testing of the proposed berth pocket has revealed heavy metal contamination which will require to be removed. Belfast Harbour is continuing to liaise with the Northern Ireland Environment Agency and Planning Service, on the appropriate Environmental Impact Assessment and consenting process to address this contamination, prior to the commencement of construction works.

Belfast Harbour is also engaging with its cruise line customers, to ensure that the new facility is appropriate to cater for the larger cruise ships which are being introduced on western European itineraries and which Belfast has been very successful in attracting for future calls in 2015 and beyond. It is hoped to conclude this customer engagement in the coming months and the resultant feedback from this engagement process will also be assessed in designing the final cruise ship offer.

Belfast Harbour is working towards having the new facility available for the 2016 cruise ship season.

Mr McKay asked the Minister of Enterprise, Trade and Investment what work the Tourist Board is carrying out to improve tourism (i) product; and (ii) accomodation in Ballycastle.
(AQW 36305/11-15)

Mrs Foster: Over the financial period 2009 - 2012 the Northern Ireland Tourist Board (NITB) has contributed approximately £323,000 through the Tourism Development Scheme (TDS) to tourism projects in the Ballycastle town, seafront and harbour areas, which includes Rathlin Island.

Projects, mainly relating to the Causeway Coastal Route (CCR) which runs through Ballycastle, included visitor infrastructure and public realm works, visitor interpretation, strategic benches, public art and a Town Heritage Trail. An additional £342,619 of investment was leveraged from these projects.

In addition NITB has provided support to develop tourism in the Ballycastle area by:

- Collaborating with key tourism stakeholders to facilitate implementation of the Causeway Coast and Glens Tourism Area Plan 2012-2017.
- Working in partnership with the Causeway Coast & Glens Heritage Trust to deliver sustainable tourism initiatives within the designated Areas of Outstanding Natural Beauty.
- Providing ongoing marketing and promotional support to Ballycastle and the local area through its traditional media, online marketing channels, consumer website www.discovernorthernireland.com in addition to a number of familiarisation trips.
- Supporting the development of a high quality tourism industry by delivering on a number of regulatory certified and accreditation schemes with 74 properties now certified in the Ballycastle area.

Since the 1st April 2013, Invest NI has offered assistance of circa £100,000 to tourism accommodation projects in the Ballycastle area. This assistance was directed at increasing jobs in the Tourism accommodation sector as well as improving e-business and management information systems and helping tourism businesses improve their energy and resource efficiency.

Mr McMullan asked the Minister of Enterprise, Trade and Investment for an update on the Gobbins Project in Larne, including the (i) cost of the project; (ii) the groups funding the project; (iii) the amount these funding groups have input; and (iii) who will run the facility when it is completed.
(AQW 36309/11-15)

Mrs Foster: The £5.7million Gobbins project at Islandmagee is nearing completion. The project is being lead by Larne Borough Council on behalf of the North East Partnership cross border group.

DETI (£2.5million) and the RoI Department of Transport, Tourism and Sport (£1million) have committed £3.5million of financial assistance under the SEUPB administered Interreg IVA programme to support the refurbishment of the historic Gobbins Cliff path walkway and construction of a purpose built tourist centre at the site. Additional funding of £2million is being provided by Larne Borough Council, alongside £0.2million from Ulster Garden Villages.

Completion of works is anticipated by December 2014, with the facility due to be operational by Spring 2015. Initially the attraction will be operated by Larne Borough Council, thereafter by the newly formed Mid & East Antrim Council from April 2015.

Mr McCallister asked the Minister of Enterprise, Trade and Investment what analysis her Department has made concerning the impact on the local economy of the Scottish Executive setting a different rate of Corporation Tax to the rest of the UK.
(AQW 36346/11-15)

Mrs Foster: My Department has not carried out an analysis on the impact of the Scottish Executive setting a different rate of Corporation Tax to the rest of the United Kingdom.

The focus of the Northern Ireland Executive is on securing these powers for Northern Ireland, with a decision expected to be made on or before the Chancellor's Autumn Statement on 3 December 2014.

Mr Campbell asked the Minister of Enterprise, Trade and Investment, in light of the further Game of Thrones filming in the Roe Valley region, what opportunities there are for the area to be highlighted in wider tourism promotional material.
(AQW 36416/11-15)

Mrs Foster: Both the Northern Ireland Tourist Board (NITB) and Tourism Ireland are aware of the phenomenal success of Game of Thrones and have actively promoted filming locations for Seasons 1 to 4, through their social media channels and websites; www.discovernorthernireland.com and www.ireland.com.

Currently, HBO is filming Season 5 in Northern Ireland, including the Roe Valley region. There can be no promotion of active filming sites during the pre-production and production period due to issues of health and safety, non-disturbances to filming and public access permissions. However, once Season 5 is aired in 2015, NITB will include all new locations in marketing materials, social media activity and update the Game of Thrones location map.

Tourism Ireland will endeavour to build the Roe Valley region into any future Game of Thrones-themed promotional activity for media and trade. The Roe Valley Country Park and tourism enterprises in the area are already listed on Ireland.com and tourism enterprises from the region have also joined Tourism Ireland at consumer and travel trade events overseas.

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) how many ministerial directions were issued in 2013/14; (ii) to outline the purpose of each direction; (iii) whether any companies benefited from a direction; and (iv) if so, which companies.
(AQW 36419/11-15)

Mrs Foster: Approval for one Ministerial Direction was given by the Executive in 2013/14. The Direction related to the payment of a grant to a company to support a project. The company who benefited from this direction was Delta Print & Packaging Ltd.

Mr Weir asked the Minister of Enterprise, Trade and Investment what efforts her Department is making to reduce (i) electricity; (ii) gas; and (iii) oil costs for low-income households.
(AQW 36486/11-15)

Mrs Foster: My Department continues to support supply competition in energy markets to ensure consumers can access energy supplies at least cost. The electricity market throughout Northern Ireland and the gas market in Greater Belfast are fully open to competition, thus allowing consumers to choose suppliers. The gas market in the “10 Towns” licence area outside Belfast will be fully open to competition from April 2015.

I welcome recent announcements that consumers will not have increases in electricity or gas prices this winter.

I continue to support the option for consumers to choose pre-payment electricity and gas meters to help with budgeting of their energy costs. Plans to provide gas to main towns in the West, and further provision of gas networks within current licence areas, will provide energy consumers with the option to switch to gas from other fuels.

Research has shown that there is a competitive oil distribution market in Northern Ireland, and this is evidenced by heating oil prices in Northern Ireland generally being lower than oil prices in many areas of Great Britain, and the Republic of Ireland.

My Department also participates in the Department of Social Development led cross sectoral fuel poverty partnership, and is working with stakeholders to promote energy efficiency.

Mr McMullan asked the Minister of Enterprise, Trade and Investment how much financial support Invest NI provided to the haulage sector, broken down by recipient, in each of the last five years.
(AQW 36491/11-15)

Mrs Foster: Financial support to the haulage sector is in the form of loans made via the Carbon Trust, which is supported by Invest NI. The interest-free business loans support investment in low carbon equipment and the creation of successful energy-saving and renewable projects. Table 1 below details loans provided over the last five years.

Haulage businesses are also able access extensive advice and guidance through Invest NI’s Business Support team.

Table 1: Value of financial support to businesses operating in the road haulage sector in each of the last five years.

Year & Business Name	Financial Support £
2009-10	
McCulla (Ireland) Limited	65,780
2011-12	
M.B. Freight Forwarding Limited	3,768
McCulla (Ireland) Limited	5,758
2012-13	

Year & Business Name	Financial Support £
Derry Refrigerated Transport Limited	1,288
McCulla (Ireland) Limited	24,000

Mr Agnew asked the Minister of Enterprise, Trade and Investment when Gaelectric was granted a mineral prospecting licence.
(AQW 36497/11-15)

Mrs Foster: DETI Mineral Prospecting Licence (MPL) No. GDL 1/10 was awarded to Gaelectric Developments Limited on 1 February 2010. The company relinquished this MPL in May 2013.

DETI Mineral Prospecting Licence (MPL) No. GDL 2/11 was awarded to Gaelectric Energy Storage Ltd on 1 December 2011 and is currently due to run to 30 November 2015.

The MPL was awarded to explore for halite (rock salt) to determine whether the deposits were of a sufficient thickness and depth to enable caverns to be created for a Compressed Air Energy Storage (CAES) project.

Mr Weir asked the Minister of Enterprise, Trade and Investment what progress has been made on broadband provision in North Down.
(AQW 36532/11-15)

Mrs Foster: North Down is already one of the best served areas of Northern Ireland in terms of broadband availability. However, recognising that there are some locations where difficulties remain, a number of postcode districts within the constituency have been included in the intervention area for my Department's Northern Ireland Broadband Improvement Project (NIBIP)

This £23.5 million project aims to provide improvements in access to basic and superfast fixed-line broadband services to a further 45,000 premises across Northern Ireland by the end of 2015.

The project is being delivered in eight phases, each of which requires an extensive survey and design process. This takes account of technical feasibility, quality of existing infrastructure in the area, reasonable costs, number of anticipated customers etc and seeks to achieve the greatest value for money and the highest number of beneficiaries.

The areas where improvements have already been made under the first two phases of the project are published on the NI Direct website. In addition consumers can use the online postcode checker to find out when work is scheduled to be carried out in their area. This information can be accessed at: http://www.nidirect.gov.uk/broadband-improvement-project.

DETI officials will continue to update the information on NI Direct as the project progresses.

My Department has also been indicatively allocated £7.24million by Broadband Delivery UK (BDUK) for the extension of superfast broadband and is seeking to match this, to provide a potential funding pot of £14.48million.

Between 26 August and 26 September, a public consultation was carried out on the proposed intervention area for a further project, which will utilise this funding support with the aim of extending superfast broadband services to at least 95% of premises across Northern Ireland by 2017.

Once the response to this consultation is analysed and, subject to value for money considerations, it is proposed that a mini-competition will be taken forward, using an existing framework, to find a suitable supplier with contract award anticipated in early 2015.

Mr Allister asked the Minister of Enterprise, Trade and Investment for a breakdown of the expenses paid to senior management in the enterprise, trade and investment sector in the last twelve months.
(AQW 36536/11-15)

Mrs Foster: A breakdown of reimbursement of Travel and accommodation, and Subsistence expenses paid to members of the DETI Senior Management Team for the financial year 2013/14 is outlined below.

Mileage	£7,891.69
Car Parking	£2,352.25
Taxi Fares	£80.82
Bus Fares	£23.60
Rail Fares	£243.84
Boat Fares	£12.00
Subsistence	£654.71
Personal Allowance	£85.75

Accommodation	£741.77
Miscellaneous	£11.57
Total	**£12,098.00**

Ms Sugden asked the Minister of Enterprise, Trade and Investment what steps are in place to encourage social entrepreneurship in the third sector.
(AQW 36542/11-15)

Mrs Foster: DETI has a central role in developing social economy policy, with responsibility for the community and voluntary sector lying with the Department for Social Development.

Developing the social economy has long been a government priority and the Executive is well aware of the important contribution which this particular sector makes. This is why we have continually affirmed our commitment to the social economy and the broader Third Sector through measures to boost the strong entrepreneurial tradition which exists here, as seen in the NI Economic Strategy which seeks to promote the Social Economy and its contribution to economic growth.

In terms of current support for the social economy sector, my Department has been involved in a range of initiatives including:

DETI funding of Social Enterprise NI, to design, manage and deliver a three year Social Economy Work Programme (SEWP) with the objective of identifying and implementing a programme of initiatives to enable the continued growth of a sustainable social economy sector.

Invest Northern Ireland provides support to new and existing social enterprises through the following programmes:

Invest Northern Ireland's Social Entrepreneurship Programme (SEP) which focuses on supporting new social economy businesses with the potential to grow, helping them to build the skills and capabilities to make an impact on the local economy. The programme offers support at both the business idea and business planning stage. In 2013/14 the SEP supported 55 new social enterprise start ups.

Invest Northern Ireland's Jobs Fund was one of a range of measures that Invest NI put in place in response to the economic downturn. Jobs Fund includes two measures to support social enterprises, recognising the potential that the social economy has to develop employment opportunities, especially for those most remote from the labour market.

Social Enterprise Employment Grant – in 2013/14 109 new jobs were created with employment grant support;

The Social Enterprise Franchise Programme provided support to social enterprises interested in franchisor/franchisee business models.

The establishment of 11 Social Enterprise Hubs (SEHs) as one of the six signature projects being taken forward under OFMDFM's Delivering Social Change initiative (DSC). This provides an operational hub in each of the Social Investment Fund areas to provide advice, help generate ideas and support the development of new social enterprise projects.

Ms Sugden asked the Minister of Enterprise, Trade and Investment to detail the cross-departmental strategies designed to increase communication with HEI, FEC and University students regarding the importance of innovation, in which her Department is involved.
(AQW 36546/11-15)

Mrs Foster: The Northern Ireland Executive's recently published Innovation Strategy highlights the importance of increasing innovation across all sectors of the economy. The Innovation Strategy emphasises the important role that universities and further education colleges have to play in helping transform our economy into one that is truly knowledge based. My Department therefore works very closely with the Department for Employment and Learning and other stakeholders including the Universities, Colleges NI, and the Northern Ireland Science Park to reinforce the importance of innovation and entrepreneurship and identifying new ways of strengthening the culture of innovation across the education system.

Underpinning the Innovation Strategy is the need for much better collaboration and commercialisation of research so that we can drive innovation, productivity and growth. Through Invest NI, a range of programmes including the Proof of Concept, Innovation Vouchers and Knowledge Transfer Partnerships, are in place to accelerate the commercialisation of new ideas and research.

Mr B McCrea asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35763/11-15, whether her Department has put targets in place for the new Business Development Executive in order to increase Foreign Direct Investment in the life sciences and connected health sectors.
(AQW 36556/11-15)

Mrs Foster: Invest Northern Ireland will develop targets for this position in line with operational priorities. The identification and cultivation of Foreign Direct Investment opportunities is one facet of this role, along with the development of trade and partnering opportunities for Northern Ireland companies, increasing R&D activities and encouraging greater collaboration between bodies in Northern Ireland and the US. Targets will be set accordingly.

Mr McElduff asked the Minister of Enterprise, Trade and Investment whether her Department will work to improve broadband coverage in the Whitebridge Road area and in local town lands between Carrickmore and Ballygawley.
(AQW 36575/11-15)

Mrs Foster: I would advise that the postcode districts covering the Whitebridge Road area of County Tyrone (BT79 9 and BT70 2) are scheduled for improvements under my Department's Northern Ireland Broadband Improvement Project.

This will include areas in the townlands of Altanagh, Altnagore, Ballygawley, Ballymackilroy, Cloghfin, Eskerboy, Fallaghearn, Gleneeny, Gortfinbar, Inishative, Killynmorgan, Knockonny, Lisgonnell, Lurganboy, Tanderagee, Tirnaskea and Tullyglush.

To assist consumers my Department has established an online postcode checker which will enable them to find out when work is scheduled to be carried out in their area. The checker can be found at http://www.online.detini.gov.uk/Broadband/Start.aspx.

In addition, postcodes within the areas above have also been included in the proposed intervention area for the Superfast Roll-out Programme Phase 2, a consultation around which was closed on 26 September. This project seeks to extend superfast broadband to 95% of premises across Northern Ireland by 2017. If value for money is demonstrated, a mini-competition will be taken forward, using an existing framework, with anticipated contract award in early 2015.

Mr Gardiner asked the Minister of Enterprise, Trade and Investment how many people are contributing home-generated electricity to the grid; and what is the total number of KwH contributed.
(AQW 36589/11-15)

Mrs Foster: The information requested is not available from my Department or from Northern Ireland Electricity. Information on electricity consumption and renewable generation in Northern Ireland for the year ending March 2014 is available on the DETI website at: http://www.detini.gov.uk/index/what-we-do/deti-stats-index/energy_statistics.htm

Mr Gardiner asked the Minister of Enterprise, Trade and Investment how many individual households are living off the grid and supplying all their own electricity and energy needs.
(AQW 36590/11-15)

Mrs Foster: The information requested is not available from my Department or from Northern Ireland Electricity. Information on electricity consumption and renewable generation in Northern Ireland for the year ending March 2014 is available on the DETI website at: http://www.detini.gov.uk/index/what-we-do/deti-stats-index/energy_statistics.htm

Mr Gardiner asked the Minister of Enterprise, Trade and Investment what use her Department has made of video conferencing facilities in the last three years.
(AQW 36592/11-15)

Mrs Foster: The Department has Video Conferencing (VC) facilities in all its main buildings. Not all VC connections are logged on the units. However, from the information available for the last 3 years the department has made use of video conferencing on at least 626 occasions.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the number of local start-ups which received InvestNI support in each parliamentary constituency in (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.
(AQW 36640/11-15)

Mrs Foster: The table below details the number of local business start-ups offered support by Invest NI within each Northern Ireland Parliamentary Constituency Area in (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.

PCA	2011-12	2012-13	2013-14
Belfast East	108	71	166
Belfast North	129	73	277
Belfast South	142	74	229
Belfast West	124	87	188
East Antrim	133	71	142
East Londonderry	175	116	197
Fermanagh And South Tyrone	186	168	316
Foyle	216	165	291
Lagan Valley	105	72	147
Mid Ulster	186	173	333

PCA	2011-12	2012-13	2013-14
Newry And Armagh	149	107	266
North Antrim	136	101	153
North Down	83	43	127
South Antrim	107	56	120
South Down	160	94	253
Strangford	80	53	145
Upper Bann	159	92	198
West Tyrone	172	126	263

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the amount of financial assistance provided by InvestNI to local start-ups in each parliamentary constituency (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.
(AQW 36641/11-15)

Mrs Foster: The table below details the amount of financial assistance offered by Invest NI to local start-ups in each parliamentary constituency (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.

PCA	2011-12 £	2012-13 £	2013-14 £
Belfast East	138,281	208,841	108,880
Belfast North	76,800	169,442	318,553
Belfast South	647,525	233,808	1,041,637
Belfast West	14,000	156,803	7,780
East Antrim	85,120	86,000	64,671
East Londonderry	349,216	169,136	99,565
Fermanagh & South Tyrone	180,828	185,090	218,434
Foyle	214,227	230,347	348,460
Lagan Valley	319,556	139,868	203,061
Mid Ulster	209,280	742,338	412,494
Newry & Armagh	117,800	265,684	197,560
North Antrim	219,384	212,880	99,840
North Down	110,654	39,308	105,934
South Antrim	162,154	345,950	137,060
South Down	398,440	194,064	289,648
Strangford	0	265,115	193,782
Upper Bann	168,036	339,404	58,400
West Tyrone	123,260	259,334	356,650

In addition to the assistance offered above, Invest NI provides support to local starts via its Regional Start Initiative. This programme has been operational since October 2012 and is delivered on behalf of Invest NI by Enterprise Northern Ireland following a successful tender competition. Participants on the scheme are not offered financial assistance but receive valuable advice and guidance on starting a business helping ensure their success.

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether the Tourist Board's granting of £4m capital funding for the Waterfront Hall extension was subject to the outsourcing of operational management of the Waterfront Hall from Belfast City Council; and whether any similar stipulations or conditions were attached to the Tourist Board's decision to grant this funding.
(AQW 36656/11-15)

Mrs Foster: The Northern Ireland Tourist Board (NITB) issued a Letter of Offer for up to £18,564,400 of grant aid to Belfast City Council for the development of the new Belfast Waterfront Convention & Exhibition Centre.

£4million of that total was provided through NITB's Tourism Development Scheme, while £14.5million was secured through the European Regional Development Fund (ERDF) and is being administered through NITB.

NITB does not comment on specific conditions included in its Letters of Offer of financial assistance or grant aid awarded to its clients, given the potentially commercially sensitive nature of such documents.

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether the Special EU Programmes Body (SEUPB) granting £14.5m of capital funding for the extension of the Waterfront Hall (i) was subject to the outsourcing of operational management of the Waterfront Hall from Belfast City Council; or (ii) any similar stipulations or conditions were attached to SEUPB's decision to grant this funding.
(AQW 36660/11-15)

Mrs Foster: The Northern Ireland Tourist Board (NITB) issued a Letter of Offer for up to £18,564,400 of grant aid to Belfast City Council for the development of the new Belfast Waterfront Convention & Exhibition Centre.

£14.5million of that total was secured through the European Regional Development Fund (ERDF) and is being administered through NITB.

NITB does not comment on specific conditions included in its Letters of Offer of financial assistance or grant aid awarded to its clients, given the potentially commercially sensitive nature of such documents.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 36394/11-15, to detail the proposed location of the 72 nominal, new mast sites.
(AQW 36755/11-15)

Mrs Foster: As the member will be aware, the Mobile Infrastructure Project is being delivered on a UK national basis by the Department of Culture, Media and Sports (DCMS) and my Department therefore does not hold information to the level of detail requested.

However, I am advised that the latest data on the numbers and possible locations of nominal sites will be contained within updated implementation plans, which are currently being prepared for each of the Northern Ireland District Councils impacted by the project. This process is expected to be completed within the next three weeks and a copy will be made available to the Member.

Mr Kinahan asked the Minister of Enterprise, Trade and Investment what consideration has been given to the clauses relevant to her Department in the Small Business, Enterprise and Employment Bill currently progressing through Westminster.
(AQW 36824/11-15)

Mrs Foster: Consideration has been given to extend to Northern Ireland those clauses contained in the Small Business, Enterprise and Employment Bill relevant to my Department, which relate to company and insolvency law. These proposals will modernise procedures, add transparency and increase public confidence in companies. Additional measures will assist small and medium sized enterprises to access finance and deliver solutions to late payments.

It is my intention to seek Executive agreement to bring forward a Legislative Consent Motion to the Assembly, to enable these aspects of the Bill to apply to Northern Ireland.

Mr McNarry asked the Minister of Enterprise, Trade and Investment how many enterprise centres and business parks have access to fibre optic broadband; and when she plans to have this facility available in all such locations.
(AQW 36922/11-15)

Mrs Foster: My Department does not hold a definitive list of business parks and enterprise centres across Northern Ireland nor does it routinely gather information on the provision of broadband services to such facilities.

However, based on the database of Invest NI owned parks and the locations of the thirty-two Local Enterprise Agencies, it is estimated that approximately 85% and 75% respectively are served by fibre-enabled cabinets.

For those locations where fibre-based services are not currently available which may include business parks, my Department is in the process of implementing the Northern Ireland Broadband Improvement Project, the aim of which is to provide improvements in access to basic and superfast fixed-line broadband services to over 45,000 premises, both business and residential, across Northern Ireland by the end of 2015.

Furthermore, my Department has also been indicatively allocated £7.24million by Broadband Delivery UK (BDUK) for the extension of superfast broadband and is seeking to match this, to provide a potential funding pot of £14.48million.

Between 26 August and 26 September, a public consultation was carried out on the proposed intervention area for a further project, which will utilise this funding support with the aim of extending superfast broadband services to at least 95% of premises across Northern Ireland by 2017.

Once the response to this consultation is analysed and, subject to value for money considerations, it is proposed that a mini-competition will be taken forward, using an existing framework, to find a suitable supplier with contract award anticipated in early 2015.

Mr McNarry asked the Minister of Enterprise, Trade and Investment whether any potential tenants have withdrawn from tenancies in enterprise centres and business parks due to the lack of fibre optic broadband connectivity.
(AQW 36924/11-15)

Mrs Foster: My Department does not hold the information requested.

Mr Campbell asked the Minister of Enterprise, Trade and Investment what progress is being made on the establishment of the Enterprise Zone in Coleraine as announced by the Chancellor of the Exchequer.
(AQW 36997/11-15)

Mrs Foster: The UK Government's Economic Pact, published on 14 June 2013, set out 3 commitments in relation to Enterprise Zones, focusing on Enhanced Capital Allowances (ECAs) which permit 100% first year allowances for qualifying plant and machinery expenditure. The pilot Enterprise Zone announced in the Budget statement on 19 March will only offer ECAs as an incentive.

The pilot project, which involves the establishment of a data centre by 5NINES in Coleraine, has the potential to promote economic development and further investment in the area.

HM Treasury has responsibility for designating an Enterprise Zone offering ECAs. Discussions are ongoing between the relevant stakeholders to put the necessary arrangements in place prior to formal designation of the zone by HMT.

Mr Kinahan asked the Minister of Enterprise, Trade and Investment what research her Department had undertaken on the affordability of energy for business and domestic users; and what actions and new initiatives have been taken following this research.
(AQW 37038/11-15)

Mrs Foster: I remain committed to delivery of the Executive's agreed Strategic Energy Framework and all my actions are informed by the duty to protect the interests of consumers. My Department is currently undertaking an assessment of the costs and benefits of the Executive's 40% target for renewable electricity generation by 2020. The results of this work will be published later in the year and will feed into the mid-term review of the Strategic Energy Framework which is due to commence in 2015.

My Department has worked with the Utility Regulator to complete research into the technical feasibility and costs associated with extending the gas network to the West. This has since been taken forward by the Regulator through a competition for new gas licences. Increased energy choice brings the potential for lower costs for householders and businesses. More recently my Department has co-operated with the Utility Regulator on electricity security of supply, and in assessing the relative size of electricity network costs on business and domestic customers in Northern Ireland compared to neighbouring jurisdictions. I am currently assessing policy options in response to this work.

Mr Boylan asked the Minister of Enterprise, Trade and Investment for an update on the progress of the £23.5m spending package aimed at improving rural broadband, as announced in February 2014.
(AQW 37041/11-15)

Mrs Foster: The Northern Ireland Broadband Improvement project aims to provide improvements in access to basic and superfast fixed-line broadband services to over 45,000 premises across Northern Ireland by the end of 2015, particularly, in rural areas.

The project is being delivered in eight phases, each of which requires an extensive survey and design process which takes account of technical feasibility, quality of existing infrastructure in the area, reasonable costs, number of anticipated customers etc and seeks to achieve the greatest value for money and the highest number of beneficiaries.

The areas where improvements have already been made under the first two phases of the project have been published on the NI Direct website. In addition consumers can use an online postcode checker to find out when work is scheduled to be carried out in their area. This information can be accessed at: http://www.nidirect.gov.uk/broadband-improvement-project.

DETI officials will continue to update the information on NI Direct as the project progresses.

Mr Boylan asked the Minister of Enterprise, Trade and Investment what progress has been made in improving rural broadband provision in Newry and Armagh in the last twelve months.
(AQW 37042/11-15)

Mrs Foster: My Department does not hold information on broadband provision in the format requested. However, telecommunications regulator Ofcom, through its annual infrastructure reports, gathers data on broadband availability, speeds and uptake across all council areas in the UK.

The latest report, which was published in October 2013 and covers the period June 2012

to June 2013 shows that there have been improvements in the Newry and Mourne District Council and Armagh City and District Council areas in a number of categories including: -

- Number of premises with broadband connections of 2mbps or less

- Number of premises with access to superfast broadband services
- Average download speeds
- Broadband take-up

Details can be found on the Ofcom website at http://maps.ofcom.org.uk/broadband/broadband-data/.

Further improvements are expected in the next 12-18 months as the roll-out of my Department's Northern Ireland Broadband Improvement Project progresses.

Mr Boylan asked the Minister of Enterprise, Trade and Investment, in relation to the lead partner's strategy for the expenditure of the £23.5m funding package announced in February 2014, whether work is still scheduled to be completed by the end of 2015.
(AQW 37043/11-15)

Mrs Foster: I can confirm that the Northern Ireland Broadband Improvement Project is currently progressing according to schedule and the supplier is indicating that it is expected to complete by the end of 2015 as anticipated.

Department of the Environment

Mr Rogers asked the Minister of the Environment how many enforcement notices have been issued by his Department in respect of family homes or residential properties, in the last ten years.
(AQW 36140/11-15)

Mr Durkan (The Minister of the Environment): In searching the Department's records, cases are not categorised by whether the alleged breach relates to a residential, commercial, industrial properties or business etc, rather Planning Enforcement record based on the type of breach or alleged offence.

On that basis the table below shows a 10 year breakdown of types of notices served.

It should be noted that these figures are based on unvalidated management information and do not form part of Planning's Official Statistics.

Notices Issued by Type of Notice and Financial Year 2004-05 to 2014-15 *

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15 *	Total
Breach of Conditions (MODS)	12	21	29	24	24	57	34	24	19	19	4	267
Contravention Notice	37	45	79	32	71	139	73	0	0	0	0	476
EIA Regulation 22 Notice	0	0	0	0	0	0	0	1	4	0	0	5
EIA- Reg 22 Determination (CP)	0	0	0	0	0	5	9	0	0	0	0	14
Enforcement Notice	74	79	178	134	149	84	32	0	0	0	0	730
Information Notice	0	0	0	0	0	101	41	0	0	0	0	142
Information Notice (Article 125)	0	0	0	0	0	0	7	6	6	6	1	26
Listed Building Notice	5	1	2	5	3	1	1	0	2	4	0	24
Material COU Notice	0	0	0	5	5	97	51	59	30	21	6	274
Operational Development Notice	0	0	1	1	2	89	70	30	37	32	7	269
Plg Contravention (MODS)	0	0	0	0	0	0	6	37	94	65	3	205
Replacement of Trees Notice	0	0	0	0	0	0	0	0	1	0	0	1
Stop Notice	7	5	6	6	8	2	2	1	2	1	0	40
Submission Notice	25	29	36	27	29	68	50	9	41	23	8	345
Temporary Stop Notice	0	0	0	0	0	0	1	0	3	2	0	6

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15 *	Total
Unauthorised Advert Notice	0	0	0	0	0	0	1	0	0	0	0	1
Unknown	0	1	1	0	0	0	0	0	0	0	0	2
Total	**160**	**181**	**332**	**234**	**291**	**643**	**378**	**167**	**239**	**173**	**29**	**2,827**

* 1st quarter figures from April to June 2014

Mr McElduff asked the Minister of the Environment to detail the procedure and timeline for the development of a new West Tyrone Area Plan, or similar plans, which cover the Omagh and Strabane districts.
(AQW 36243/11-15)

Mr Durkan: As you will be aware, from April 2015 under Local Government Reform, the current Strabane District will be covered by the new Derry City and Strabane District Council whilst Omagh District will form part of the new Fermanagh and Omagh District. Planning functions are also transferring from the Department to these new Councils at this time, including plan-making responsibilities.

Part 2 of The Planning Act 2011 places a statutory requirement on each council to prepare a Local Development Plan for its district. Therefore, with the transfer of functions in April 2015, these two new Council areas will have the responsibility for initiating and preparing their own Local Development Plan (LDP).

The new LDP will consist of two separate development plan documents covering the whole of the council district:

(i) A Plan Strategy (PS) which will set out the council's vision, objectives and growth strategy for the area along with strategic policies; and

(ii) A Local Policies Plan (LLP) which will set out the council's detailed policies in relation to the development and use of land in its district.

The PS will be produced first, scrutinised at the independent examination stage and then adopted. Subsequently, the LPP will be prepared in line with the PS, examined at independent examination and then adopted. It should be noted that before the council prepares its PS, it must prepare and publish a Preferred Options Paper (POP). Public participation in formulating the LDP and progress through to adoption will be facilitated through the council's Statement of Community Involvement (SCI) and an LDP timetable to be agreed between the council and the Department. The Department will provide guidance setting out further details of how the council should prepare the timetable and how it can estimate the indicative dates for each step of the LDP preparation process.

Overall, the proposed local development plan process from the agreement of the timetable to adoption of the Local Policies Plan would have an 'indicative' timeframe of some 40 months. However, it should be emphasised that it is the responsibility of each council to set its programme for plan production, taking into account factors such as availability of resources, the input of statutory consultees, the number of representations received, etc. and only indicative dates are used for each stage in order to allow a degree of flexibility.

I would draw your attention to the proposed Planning (Local Development Plan) Regulations (Northern Ireland) 2015 which set out the procedures and processes for local development plan preparation. This draft legislation was published for consultation on 28 May 2014 and is available to view on the DOE Planning website

http://www.planningni.gov.uk/index/policy/policy_legislation/consultations/phase_1_public_consultation_document_planning_reform_and_transfer-2.pdf

In January 2014, I announced that I was setting up Development Plan teams within the Department to work in liaison with Statutory Transition Committees and shadow Councils on preparatory studies in the run up to the Reform of Local Government in April 2015. The purpose of the preparatory studies is to facilitate early capacity building for councillors, existing Council staff and DOE Planning staff, as well as to provide a sound information base for the new Councils to make planning decisions and bring forward their own Local Development Plans within a shorter timeframe.

Consequently, the respective Development Plan teams, based in Omagh and Derry, have agreed a programme of Preparatory Studies with the STCs and have now commenced delivery of those Papers – covering key Plan topics including Growth Strategy, Population, Settlements, Housing, Economic Development and Town Centres. These baseline Papers, delivered to the new shadow Councils over the period up to April 2015, will help the new Councils to be in a strong position to commence their new local Development Plans when they are formally empowered to do so, in the period after April 2015.

Mr A Maginness asked the Minister of the Environment to detail how many (i) breaches of planning control have been identified by the Planning Service; (ii) of these cases has the Planning Service decided not to take any enforcement action; (iii) demolition notices have been issued; and (iv) demolition notices have been carried out, broken down by Divisional Planning Office, in each of the last three years.
(AQW 36244/11-15)

Mr Durkan: Tables 1 and 2 outline the number of breaches that were identified for planning enforcement related offences in the last 3 years, and first quarter of 2014/15

Number of Breaches identified

(1) Breaches of Planning Control by Planning Area 2011-12 to 2013-14

	Financial Year		
Planning Area	**2011/12**	**2012/13**	**2013/14**
Belfast	739	727	874
Northern	471	454	401
South Antrim	326	366	410
Southern	528	620	654
Strategic Planning	135	150	78
Western	369	453	411
Total	**2,568**	**2,770**	**2,828**

(2) Breaches of Planning Control by Planning Area 2014-15 first quarter

Planning Area	**2014-15 ***
Belfast	123
Downpatrick	150
Northern	131
South Antrim	102
Southern	150
Strategic Planning	6
Western	105
Total	**767**

Notes:

*1st quarter figures from April to June 2014

Tables 3 – 6 outline the number of cases that were closed identified for planning enforcement related offences in the last 3 years, and first quarter of 2014/15.

(3) Enforcement cases closed by Closure Reason and Planning Area 2011-12

	Planning Area						
Closure Reason	**Belfast**	**Northern**	**South Antrim**	**Southern**	**Strategic Planning**	**Western**	**Total**
Remedied/Resolved	223	134	72	103	34	98	664
Planning Permission Granted	100	77	63	146	23	119	528
Not Expedient	180	103	83	140	9	59	574
No Breach	278	175	115	159	38	122	887
Immune from Enforcement Action	95	32	21	67	0	28	243
Appeal Allowed/Notice Quashed	7	9	0	7	1	7	31
Total	**883**	**530**	**354**	**622**	**105**	**433**	**2,927**

(4) Enforcement cases closed by Closure Reason and Planning Area 2012-13

Closure Reason	Planning Area						Total
	Belfast	Northern	South Antrim	Southern	Strategic Planning	Western	
Remedied/Resolved	233	157	94	152	28	90	754
Planning Permission Granted	110	86	52	143	19	103	513
Not Expedient	266	158	75	159	9	58	725
No Breach	402	143	137	177	24	147	1,030
Immune from Enforcement Action	86	65	23	70	5	52	301
Appeal Allowed/Notice Quashed	5	6	2	3	0	0	16
Total	**1,102**	**615**	**383**	**704**	**85**	**450**	**3,339**

(5) Enforcement cases closed by Closure Reason and Planning Area 2013-14

Closure Reason	Planning Area						Total
	Belfast	Northern	South Antrim	Southern	Strategic Planning	Western	
Remedied/Resolved	154	141	85	161	18	97	656
Planning Permission Granted	125	62	64	156	42	86	535
Not Expedient	192	104	69	112	12	71	560
No Breach	364	133	123	215	42	135	1,012
Immune from Enforcement Action	86	30	25	71	15	25	252
Appeal Allowed/Notice Quashed	3	2	2	2	2	1	12
Total	**924**	**472**	**368**	**717**	**131**	**415**	**3,027**

(6) Enforcement cases closed by Closure Reason and Planning Area 2014-15 first quarter *

Closure Reason	Planning Area							Total
	Belfast	Down-patrick	Northern	South Antrim	Southern	Strategic Planning	Western	
Remedied/Resolved	22	20	34	21	28	3	12	140
Planning Permission Granted	23	14	6	9	25	5	28	110
Not Expedient	10	29	27	14	33	1	11	125
No Breach	52	52	36	30	31	5	30	236
Immune from Enforcement Action	5	11	16	1	16	2	5	56
Appeal Allowed/ Notice Quashed	2	0	0	0	1	0	0	3
Total	**114**	**126**	**119**	**75**	**134**	**16**	**86**	**670**

Notes: Planning Area Structure has changed for 2014-15

Table 7 outlines the number of operational development notices issued by Planning Enforcement in the last 3 years and the first quarter of 2014/15. Table 8 lists the number of operational development notices that have been completed in the last 3 years and the first quarter of 2014/15.

By way of clarification, the Department does not issue 'demolition notices' cases with respect to any demolition works issued through an operational development notice.

(7) Operational Development Notices Issued, by Planning Area 2011-12 to 2014-15 first quarter *

	Financial Year of Notice issued				
Planning Area	**2011/12**	**2012/13**	**2013/14**	**2014/15 ***	**Total**
Belfast	5	4	5	0	14
Northern	4	2	4	2	12
South Antrim	0	0	4	0	4
Southern	11	15	16	3	45
Strategic Planning	0	6	0	0	6
Western	10	10	3	2	25
Total	**30**	**37**	**32**	**7**	**106**

(8) Operational Development Notices Issued that have been closed, by Planning Area 2011-12 to 2014-15 first quarter *

	Financial Year of Notice issued				
Planning Area	**2011/12**	**2012/13**	**2013/14**	**2014/15 ***	**Total**
Belfast	2	2	1	0	5
Northern	2	1	1	0	4
South Antrim	0	0	0	0	0
Southern	6	5	3	0	14
Strategic Planning	0	1	0	0	1
Western	9	7	1	0	17
Total	**19**	**16**	**6**	**0**	**41**

It should be noted that these figures are based on unvalidated management information and do not form part of Planning's Official Statistics.

Lord Morrow asked the Minister of the Environment whether he plans to make a statement to the Assembly to clarify his commitment to openness and transparency within his Department, particularly recognising the impact of the potential loss of public confidence, including that of consumers and service providers, by refusing to publish video footage taken by enforcement staff at Ravenhill Stadium on 23 August 2013, as well as reports compiled or emanating from this, and the full extent of legal advice sought and obtained on this matter.
(AQW 36302/11-15)

Mr Durkan: I have no plans to make a statement to the Assembly on these issues.

Mr Agnew asked the Minister of the Environment whether there have been proposals by Bombardier Aerospace to increase the amount of waste they intend to accept at the proposed gasification facility in East Belfast; and if so, to provide details of the proposals.
(AQW 36319/11-15)

Mr Durkan: Planning permission was granted for the construction of a combined heat and power generating station for the treatment of refuse derived fuel (RDF) by gasification on 23 January 2014. The throughput of the facility shall not exceed 120,000 tonnes per annum as restricted by a condition of the approval.

My Department has not received any further applications in relation to this restriction.

Mr Agnew asked the Minister of the Environment whether his Department requires companies who are granted planning permission to dispose of contaminated waste to provide notification to his Department of the facility where that waste is disposed of and/or processed.
(AQW 36320/11-15)

Mr Durkan: The company is under no obligation to inform NIEA of the location of disposal; however they are under obligation to follow Duty of Care Regulations, 2002. This includes using a Registered Carrier, keeping statutory records and using an

authorised disposal site. On request from NIEA the company involved is required to produce evidence of this. NIEA regularly undertakes unplanned or routine inspections of authorised waste sites to regulate against these issues.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 33132/11-15, for an update on setting up of a public inquiry into the waste crime in Northern Ireland; and to outline the Executive Ministers that have yet to respond.
(AQW 36321/11-15)

Mr Durkan: As I said in the Assembly during the debate, I would seek the support of my Ministerial colleagues for establishing an Inquiry. I am still waiting for the outcomes of this Executive discussion.

In the meantime, I am continuing with implementing action in response to the Mills Report into Waste and focussing my Department's efforts on making progress in improving waste management in Northern Ireland.

Mr McCartney asked the Minister of the Environment, pursuant to AQW 35011/11-15, on what basis was an Aggregates Levy Credit Scheme certificate granted, given that consents to extract did not exist for these sites and all planning permissions have subsequently been refused.
(AQW 36323/11-15)

Mr Durkan: At the time of application, the Department was satisfied that the gravel site at Mobuoy Road, Campsie was operating within the regulatory framework as required by the Aggregates Levy Credit Scheme Code of Practice. It was confirmed that planning permission (reference: A/93/0302 and A/1998/0662) was in place, and consent to discharge effluent from the site was not required.

Mr McCartney asked the Minister of the Environment to detail the environmental improvements achieved as a result of his Department issuing an Aggregates Levy Credit Scheme certificate for Campsie Sand and Gravel, at Mobuoy Road, Derry.
(AQW 36324/11-15)

Mr Durkan: Between 2006 and 2010, Campsie Sand and Gravel Ltd submitted three independent environmental audit reports as required by the Code of Practice of the Scheme. Based on these reports, the Company carried out environmental improvements in relation to Archaeology and Geo-diversity, Biodiversity, management of oil, Waste Management, Surface Water, Groundwater, Landscape, Noise, Energy, Restoration and Aftercare, Secondary Aggregate Usage and Air Quality.

Mr McCartney asked the Minister of the Environment why his Department informed the River Faughan Anglers on 8 December 2011 that all the sites at Mobuoy Road had been restored or were in the process of being restored; and what evidence this was based on.
(AQW 36325/11-15)

Mr Durkan: The response at that time was in the context of a submission by the agent/operator that extraction at some of the sites had ceased. Accordingly, restoration had taken place or was ongoing.

Mr Campbell asked the Minister of the Environment what research he has commissioned during 2014 on the advantages and disadvantages of fracking in areas which would be designated as prime sites for exploratory drilling.
(AQW 36326/11-15)

Mr Durkan: I have commissioned my Departmental Officials to cooperate with authorities in the Republic of Ireland (ROI), on an extensive research programme, into the environmental impacts associated with unconventional gas exploration and extraction. The research programme is being funded by the Environmental Protection Agency (EPA), the Department of Communications Energy and Natural Resources (DCENR) and the Department of the Environment (DOE).

The research programme has been designed to produce outputs that will assist regulators in NI and ROI in fulfilling their statutory roles regarding any potential hydraulic fracturing activity. The research programme will involve five projects:

- Baseline assessment of water
- Baseline assessment of seismicity
- Assessment of air quality
- Examination of impacts and mitigation measures
- Examination of the regulatory framework

The research will examine case study areas with the potential for shale gas, such as the current licensed area in Fermanagh. The research commenced in August 2014 and is expected to report in the latter part of 2016.

Ms Boyle asked the Minister of the Environment to detail the number of planning enforcement issues in the Strabane District Council area, broken down by ward.
(AQW 36361/11-15)

Mr Durkan: Table 1 below outlines the number of Enforcement cases that have been opened in the Strabane District Council Area from 2011/12 to Quarter 1 of 2014/15. At 30 June 2014, there were 55 live Enforcement cases in Strabane District Council.

The Department does not hold information relating to Enforcement cases in such a way that can be reported at ward level.

Table 1: Enforcement cases opened in Strabane District Council Area 2011-12 to 2014-15 Q1

Financial Year	No. of cases
2011-12	62
2012-13	68
2013-14	72
2014-15 Q1	10
Total	**212**

Notes: An enforcement case is opened when there has been an alleged breach of planning control.

Lord Morrow asked the Minister of the Environment to detail (i) how many planning applications for centralised anaerobic digestion plants have been approved; and (ii}) how many live applications are being processed, in each of the last five years. **(AQW 36365/11-15)**

Mr Durkan: According to the Department's records, 3 applications for centralised anaerobic digestion (AD) plants have been issued in the last 5 years.

The majority of applications for Anaerobic Digestion (AD) plants do not specify whether it is for a farm based AD or a centralised AD, and some applications whilst not specifically described as being centralised may accept residues and feedstock from external sources.

Consequently for the purpose of completeness a breakdown of all approvals for AD plants in the last 5 years has been provided below.

There are 21 live cases for Anaerobic Digestors as at 31 August 2014.

Number of applications for Anaerobic Digestors approved in the last 5 years, also including applications approved to date in 2014/15

		Financial Year of Application Approved				
2009/2010	**2010/2011**	**2011/2012**	**2012/2013**	**2013/2014**	**2014/2015**	**Total**
3	4	23	51	30	2	113

Notes: 2014/2015 includes the number of approved applications up to 31 August 2014. (Figures 2014/15 is latest available, provisional, renewable energy information)

Mr Agnew asked the Minister of the Environment (i) how he intends to meet the £250m cleanup costs for illegal dumping as identified in the Mills Report; and (ii) what discussions he has had with his Executive colleagues regarding these costs. **(AQW 36381/11-15)**

Mr Durkan: The precise cost of the clean-up is unknown. The Department is commissioning experts to conduct a thorough assessment of the environmental risks at the site and all the options for managing these risks and minimising the potential for environmental harm.

By clearly identifying and understanding the risks arising from the waste, the Department will be able to develop a long term and cost effective remediation solution for this site. These options can only be fully costed when the options have been identified and the relevant costs for each option detailed.

Works to date have dealt with managing all immediate risks due to leachate migration. Works in the short to medium term will continue to ensure that the leachate has no impact on the River Faughan adjacent to the illegal waste mass.

Whatever management options are chosen, the Department is continuing to pursue all legal means to recover the costs from the polluters associated with the illegal activity at Mobuoy Road. This is my first priority for funding remediation and other options will only be investigated if these are not fully successful.

Mr Agnew asked the Minister of the Environment, given his assurance to local residents that stringent planning conditions would be imposed, why it is necessary to remove planning conditions 25 and 26 from planning approval K/2013/0072, and how this accords with Article 6(3) of the Habitats Directive which precluded his Department from granting a development

consent unless it is first satisfied beyond reasonable scientific doubt that the integrity of the Owenkillew Special Area of Conservation would not be compromised.
(AQW 36383/11-15)

Mr Durkan: The developer, Dalradian Gold Ltd. has requested that the conditions appended to the planning decision notice be removed/altered to reflect those on the discharge consent.

DOE Strategic Planning Division (SPD) received a planning application for non compliance (Article 28) with conditions 25 and 26 of planning approval K/2013/0072/F on 22 March 2014 relating to discharge parameters. This is the appropriate mechanism in order to not comply with conditions of a planning permission.

SPD has consulted with NIEA in relation to the appropriateness of non compliance with these conditions to ensure that the integrity of Owenkillew SAC will not be compromised.

NIEA Water Management Unit has issued a consent under the terms of the Water (Northern Ireland) Order 1999, (consent no 068/12/2), for the discharge of drainage arising from the proposed development, on 6 February 2014. The consent contains detailed conditions relating to water quality for this site. Monitoring to check compliance with the conditions contained in the discharge consent will be carried out by NIEA.

Mrs Dobson asked the Minister of the Environment to detail any existing legislation regarding attaching satellite dishes on (i) domestic; and (ii) commercial properties in terms of (a) positioning or (b) prevalence.
(AQW 36388/11-15)

Mr Durkan: The Planning (General Development) Order (Northern Ireland) 1993 (as amended) grants planning permission for the installation of microwave antennas, including satellite dishes on both domestic and non-domestic properties.

This permitted development is subject to a range of limitations including the number of antennas that can be installed on a building, their permitted size and where they should be placed.

There are also additional limitations relating to the positioning of antennas on buildings in what are known as “designated areas”. These are conservation areas, areas of outstanding natural beauty, areas of special scientific interest, national parks and world heritage sites. In these areas, for example, the permitted development does not apply, if it would consist of the installation of an antenna on a chimney, wall or roof slope which faces onto and is visible from a road.

The installation of antennas including satellite dishes which do not meet the relevant permitted development tolerances, need approval through the planning application process.

The permitted development rules for installation of antennae on dwelling houses are set out in Class G of Part 1 of Schedule 1 to the Planning (General Development) Order (NI) 1993 and for other buildings, including commercial properties and blocks of flats, in Classes A and B of Part 18 of that Schedule. A description of those Classes along with their detailed limitations and conditions are set out for information below.

Permitted Development for microwave antenna on dwellinghouses

G. The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Development is not permitted by Class G if—

(a) it would result in the presence on the dwellinghouse or within its curtilage of—

  (i) more than 2 antennas;

  (ii) a single antenna exceeding 100 centimetres in length;

  (iii) 2 antennas which do not meet the relevant size criteria;

  (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;

  (v) an antenna installed on a chimney, where the antenna would protrude above the chimney;

  (vi) an antenna with a cubic capacity in excess of 35 litres;

(b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;

(c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower;

(d) in the case of a dwellinghouse situated within a designated area, it would consist of the installation of an antenna—

  (i) on a chimney, wall or roof slope which faces onto and is visible from a road;

  (ii) on a building which exceeds 15 metres in height.

(A “designated area” means a conservation area, an area of outstanding natural beauty, an area of special scientific interest, a National Park or a World Heritage Site).

Development is permitted by Class G subject to the following conditions—

(a) an antenna shall so far as is practicable be sited so as to minimise its effect on the external appearance of the building; and

(b) an antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable.

The relevant size criteria for the purpose of paragraph G.1(a)(iii) are that—

(a) only 1 of the antennas may exceed 60 centimetres in length; and

(b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.

The length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

Permitted Development for microwave antenna on buildings other than dwellinghouses (including commercial property and blocks of flats)

Class A. The installation, alteration or replacement on **any building** or other structure **of a height of 15 metres or more** of a microwave antenna and any structure intended for the support of a microwave antenna.

Development is not permitted by Class A if—

(a) the building is a dwellinghouse or the building or other structure is within the curtilage of a dwellinghouse;

(b) it would consist of development by electronic communications code operators already permitted under Part 17;

(c) it would result in the presence on the building or structure of more than 4 antennas;

(d) in the case of an antenna installed on a chimney, the length of the antenna would exceed 60 centimetres;

(e) in all other cases, the length of the antenna would exceed 130 centimetres;

(f) it would consist of the installation of an antenna with a cubic capacity in excess of 35 litres;

(g) the highest part of the antenna or its supporting structure would be more than 3 metres higher than the highest part of the building or structure on which it is installed or is to be installed;

(h) in the case of a building or structure situated within a designated area, it would consist of the installation of an antenna on a chimney, wall or roof slope which faces onto, and is visible from, a road.

Development is permitted by Class A subject to the following conditions—

(a) an antenna shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building or structure on which it is to be installed;

(b) an antenna no longer needed for reception or transmission purposes shall be removed from the building or structure as soon as is reasonably practicable;

(c) the length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

Class B. The installation, alteration or replacement on any building or other structure of a height of less than 15 metres of a microwave antenna.

Development is not permitted by Class B if—

(a) the building is a dwellinghouse or the building or other structure is within the curtilage of a dwellinghouse;

(b) it would consist of development by electronic communications code operators already permitted under Part 17;

(c) it would result in the presence on the building or structure of—

  (i) more than 2 antennas;

  (ii) a single antenna exceeding 100 centimetres in length;

  (iii) 2 antennas which do not meet the relevant size criteria;

  (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;

  (v) an antenna installed on a chimney, where the antenna would protrude over the chimney;

  (vi) an antenna with a cubic capacity in excess of 35 litres;

(d) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;

(e) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney stack, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower;

(f) in the case of a building or structure situated in a designated area, it would consist of the installation of an antenna on a chimney, wall or roof slope which faces onto, and is visible from, a road.

Development is permitted by Class B subject to the following conditions—

(a) an antenna shall, so far as is practicable, be sited so as to minimise its effect on the external appearance of the building or structure on which it is to be installed;

(b) an antenna no longer needed for reception or transmission purposes shall be removed from the building or structure as soon as reasonably practicable.

The relevant size criteria for the purposes of paragraph B.1(c)(iii) are that—

(a) only 1 of the antennas may exceed 60 centimetres in length; and

(b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.

The length of an antenna is to be measured in any linear direction and shall exclude any projecting feed element, reinforcing rim, mounting or bracket.

Mr Kinahan asked the Minister of the Environment when the report on the sewage overflow for Muckamore and Dunadry, promised in September 2014, will be published.
(AQW 36405/11-15)

Mr Durkan: You will recall that I previously wrote to you on 1 July 2014 to detail the investigation into two sewage-related pollution incidents at Muckamore, Antrim. I have checked with my Departmental officials, who are unaware of a commitment to publish a further formal report on these incidents, or on another incident at Dunadry. Nevertheless I am of course happy to update you on the investigation into these incidents.

You will be aware from my previous letter that there were two recent pollution incidents immediately downstream of Muckamore Bridge on the Antrim to Nutts Corner Road.

The first incident was on Friday 18 April 2014, when Northern Ireland Environment Agency (NIEA) staff confirmed that a discharge of sewage was occurring from a flap valve into the Six Mile Water, just downstream of Muckamore Bridge, Antrim. There was however no evidence of a plume in the river, suggesting a limited downstream impact at that time. Based on the evidence observed NIEA assessed this incident as 'low' severity.

As soon as the incident type had been investigated and confirmed, NIEA alerted Northern Ireland Water (NIW). NIW contractors were on site shortly afterwards and carried out a full investigation of the surrounding sewer network. This investigation found a sewer blockage approximately 500 metres away, causing an overflow from the sewer to the storm water system which in turn flowed to the Six Mile Water at Muckamore Bridge. NIW also found a second, lesser contributory blockage which was again cleared.

A second report of pollution from the same storm system flap valve at Muckamore Bridge was subsequently made to NIEA on Thursday 1 May 2014. NIEA staff travelled immediately to the site, but upon arrival found that any polluting discharge had stopped and there was no visible plume in the river. This second report was again assessed by NIEA as being of 'low' severity.

NIW's follow-up investigation to these incidents identified a number of misconnections to and from the sewer network, with the potential to cause low level but ongoing pollution. NIEA is currently working with NIW to schedule a programme of remedial work to address misconnections in the Muckamore area.

Encouragingly, NIEA staff have checked this outfall at regular intervals since but have not observed any further pollution incidents since 1 May.

As regards your question about a sewage incident at Dunadry, the only recent relevant incident my Departmental officials are aware of is a septic tank incident at Dunadry which was reported to NIEA on Tuesday 2 September 2014. Upon investigation NIEA staff found this to be due to be a minor sullage water discharge from a domestic property. The householder in this case had previously been successfully prosecuted by NIEA, but the discharge observed on this date fell well below a level which could have led to a further prosecution. NIEA is currently working with the householder to ensure the sullage water problem is permanently rectified.

Finally I would reassure you that NIEA have ensured that anglers and stakeholders on the Six Mile Water were kept informed of each of these pollution incidents and the overall response to them. For example NIEA staff met representatives from the Six Mile Water Anglers on 1 May and on 6 May 2014, when the response to the Muckamore incidents was discussed in detail. Likewise on the Dunadry incident, NIEA staff met on site with anglers and discussed the findings, and subsequently updated them by telephone.

Mr Kinahan asked the Minister of the Environment when he will outline his plans for dealing with matters relating to planning control, gravel extraction and the EU Habitats Directive.
(AQW 36406/11-15)

Mr Durkan: All major and local developments will be dealt with by councils under the new planning system. It is anticipated that following the implementation of the Review of Public Administration in 2015, the majority of minerals applications will be dealt with by councils and my officials are currently engaging with the Local Government sector to establish how best to process these types of applications post transfer of planning powers.

Any regionally significant development proposals will be determined by the Department.

The Habitats Directive will be fully considered in the processing of applications where appropriate.

Mr Campbell asked the Minister of the Environment, following his recent written statement on planning and flood risk, what preventative measures will be examined where planning approvals are issued in areas prone to surface water flooding.
(AQW 36410/11-15)

Mr Durkan: Further to publishing Revised PPS 15 on 23 September, I can advise that planning approvals will not generally be forthcoming in areas of surface water flood risk which also coincide with river and coastal flood plains.

In areas of surface water flood risk outside of flood plains, development proposals will be carefully assessed to ensure that there are adequate means of mitigating and managing the flood risk to the new development and to nearby areas. The policy sets out the circumstances requiring a developer to submit a drainage assessment. Generally these relate to specified thresholds, for example residential development of 10 dwellings or more. A drainage assessment is also required for most development in areas where there is evidence of a history of surface water flooding. The drainage assessment must detail appropriate preventative measures; for example raising finished floor levels of the building or using various flood proofing methods of construction. Drainage assessments will be subject to consultation with DARD Rivers Agency or other relevant bodies and this will inform the conditions to be attached to any grant of planning permission.

Where a drainage assessment is not required by the policy, greater onus is placed upon the developer to assess flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site. This applies particularly in areas of potential for surface water flooding, as identified by the Strategic Flood Map.

Irrespective of the type of flooding, preventative measures aimed to reduce flood risk are secured through the planning system prior to, rather than subsequent to, any grant of planning permission.

Lord Morrow asked the Minister of the Environment, with the exception of the enforcement officers tasked with obtaining video footage of taxi issues at Ravenhill Stadium on 23 August 2013, to detail the job description of staff within his Department, or any of its agencies, who viewed the footage or any report detailing the content.
(AQW 36423/11-15)

Mr Durkan: No other staff from the Department, or any of its agencies viewed the video footage of taxi issues at Ravenhill Stadium on 23 August 2013. An email summarising the events from the evening was provided to DVA senior management.

Lord Morrow asked the Minister of the Environment, in relation to video footage taken by enforcement staff at Ravenhill Stadium on 23 August 2013, to detail who outside of his Department or its agencies has had sight of the footage, including the PSNI and any relevant taxi operators and licence holders.
(AQW 36424/11-15)

Mr Durkan: No one from outside my Department or any of its agencies has viewed the video footage.

Mr Agnew asked the Minister of the Environment why Northern Ireland Environment Agency (NIEA) Natural Heritage has returned a consultation response of “no comment” on planning application K/2014/0246/F regarding the removal of planning conditions 25 and 26 from planning permission K/2013/0072/F, when it was NIEA Natural Heritage that insisted on those conditions being imposed in the first instance, specifically to safeguard the site selected features of the Owenkillew Special Area of Conservation.
(AQW 36436/11-15)

Mr Durkan: The site is upstream of the Owenkillew River Special Area of Conservation (SAC). Planning conditions nos. 25 and 26 relate to relate to water discharge parameters and water quality effects on the features of the SAC. DOE’s assessment has been carried out by NIEA’s Water Management Unit.

DOE issued a consent, under the terms of the Water (Northern Ireland) Order 1999, for the discharge of drainage arising from the proposed development, to the applicant on 6 February 2014. This consent contains conditions formulated to ensure that water quality objectives set for the Owenkillew River will not be at risk of adverse impact by the proposed discharge.

Monitoring to check compliance with the conditions contained in the discharge consent will be carried out by DOE when the project commences.

Mr Agnew asked the Minister of the Environment to outline the reasons why his Department was unable to deal with proposed explosives store as (i) a minor amendment to K/2013/0072/F as first suggested by his Department; and (ii)

as permitted development under part 16(A) of the Planning (General Development) Order (NI) 1993 (as amended), as subsequently suggested by his Department.
(AQW 36437/11-15)

Mr Durkan: On 19 August the Department requested a planning application to deal with matters that were being considered as a minor amendment to Dalradian Gold's planning approval K/2013/0072/F at Camcosy Road, Gortin.

Whilst the proposed changes to the existing planning permission are relatively minor, it was considered that they amounted to a material change to the approved plans.

The proposal had not been considered as permitted development under part 16(A) of the Planning (General Development) Order (NI) 1993 (as amended).

Mr Agnew asked Minister of the Environment, given that it was necessary to submit a full planning application K/2014/0387/F for an explosives store, whether he remains of the view that in the absence of those details from planning approval K/2013/0072/F, his Department legitimately and lawfully granted permission for an explosives store on 22 January 2014.

(AQW 36438/11-15)

Mr Durkan: My Department lawfully granted planning permission for application ref: K/2013/0072/F, which included information on the originally positioned explosives store, and it is currently dealing with a valid planning application for a revised explosives store position and associated works.

Mr Agnew asked nister of the Environment for his assessment of the view of legal representatives acting on behalf of the applicant for K/2013/0072/F when they state that a planning application is invalid if insufficient plans have been provided.

(AQW 36439/11-15)

Mr Durkan: The planning application to which the legal representatives refer (ref: K/2014/0060/F) was received by the Omagh Area Planning Office and deemed to be valid on 18 February 2014.

Ms Sugden asked the Minister of the Environment how many applications for the Third Sector Capacity Fund his Department has received from organisations in East Londonderry.
(AQW 36492/11-15)

Mr Durkan: The Rethink Waste Capital Fund for the Third Sector was launched on 22 August 2014. The closing date for applications is 30 November 2014. To date, no applications have been received from organisations in East Londonderry.

The relevant link for potential applicants is: http://www.wrapni.org.uk/content/third-sector-capacity-fund-capital.

Ms Sugden asked the Minister of the Environment what steps his Department and the Northern Ireland Environment Agency are taking to encourage (a) businesses; (b) non-governmental organisations; (c) councils; and (d) associations or professional societies to be signed participants in Prosperity Agreements.
(AQW 36494/11-15)

Mr Durkan: Prosperity Agreements are voluntary agreements through which the NIEA and an organisation can explore opportunities for reducing environment and heritage impacts in ways that create prosperity and well-being.

I have instructed my Department to negotiate and develop Prosperity Agreements with organisations where significant environmental, social and economic benefits can be gained.

I regularly talk about this new initiative publicly and my senior Department officials are in discussions with a wide variety of businesses, trade associations, non-government organisations and councils about potential Prosperity Agreements.

We have also provided information about Prosperity Agreements and made the first signed Prosperity Agreement publicly available on the Department's website. There is a small team in the NIEA who ensure that organisations that are interested in discussing Prosperity Agreements further can access more information.

Finally, all NIEA staff are briefed on Prosperity Agreements so they can discuss them with organisations that are interested in the programme.

Mr Agnew asked the Minister of the Environment whether he will introduce regulation to control the contents of any fracking fluid.
(AQW 36579/11-15)

Mr Durkan: It is not my intention to consider any such controls applicable to high volume hydraulic fracturing until the outcomes of the All Island Research Programme are known, post August 2016.

Mr Agnew asked the Minister of the Environment to detail (i) the estimated tonnage of concrete required to be poured on the protected habitat in relation to planning application K/2014/0387/F; (ii) whether Northern Ireland Environment Agency Natural Heritage carried out an assessment of the risk of peat slide prior to stating that it had no objection; and (iii) who is responsible for conducting the Habitats Regulation Assessment given that NIEA Natural Heritage states it is the responsibility of NIEA

Water Management Unit, yet the unit stated that it is concerned about the risk of peat slide and does not have the expertise to assess such a risk.
(AQW 36581/11-15)

Mr Durkan: The weight of concrete to be used in constructing the proposed development is not known. The floor of the proposed store is denoted as concrete on application drawings. The floor would sit upon geotextile and three layers of capping stone. The concrete floor slab is proposed at 200mm thickness over an area of 9 metres x 5 metres (45 square metres). No concrete is being poured on protected habitats.

In this case The Department is the 'Competent Authority' as defined by the Habitats Regulations. It is therefore the Department that is responsible for undertaking the HRA. As all potential effects on the SAC are related to impacts on water quality, the Department's water quality experts have been tasked to take the lead role. The Department has not identified any potential threat from peat slides, as peat depths on the site are less than 0.5 metres.

Mr Agnew asked the Minister of the Environment whether the Northern Ireland Environment Agency took into account the impact on the Owenkillew Special Area of Conservation from the construction of an explosives store when completing a Habitats Regulation Assessment, prior to consenting to the approval of K/2013/0072/F as is required by Article 6(3) of the Habitats Directive; and if so, to detail how this was; (i) possible and (ii) lawful, given the absence of details in the approval.
(AQW 36582/11-15)

Mr Durkan: The location and construction of the explosives store was assessed by the Department prior to the consenting of K/2013/0072/F. No potential effects were identified. A subsequent application has been made for the relocation of the explosive store. The Department has re-examined the HRA to include this amendment and again no likely significant effects have been identified. The Department has had sufficient information available to undertake a robust assessment of the explosive store construction on the SAC, the assessment was therefore both possible and lawful.

Mrs Overend asked the Minister of the Environment to detail (i) the changes made to the regulation of bus operators by the introduction of the Bus Compliance Audit Process; and (ii) the rationale for the introduction of the Bus Compliance Audit Process.
(AQW 36630/11-15)

Mr Durkan: The Bus Compliance Audit Process was introduced at the end of June 2014 to ensure that operators comply with Directive EC1071/2009 which introduced new legal requirements aimed at modernising the rules governing road transport. These include rules relating to the operator's place of establishment, vehicle maintenance, facilities, drivers' hours and transport manager responsibilities and therefore necessitate a detailed inspection to be carried out.

Mrs Overend asked the Minister of the Environment for his assessment of the implementation of the Bus Compliance Audit Process.
(AQW 36631/11-15)

Mr Durkan: My assessment of the implementation of the Bus Compliance Audit process is that it provides assurances that rules relating to the operator's place of establishment, vehicle maintenance, facilities, drivers' hours and transport manager responsibilities are being met.

It also provides bus operators with a clear and transparent assessment of their current practices/processes and will identify any anomalies that need to be addressed to ensure that they are carrying out their processes in line with best practice.

I understand that a number of operators who have been subject to an audit have provided positive feedback to my officials regarding the benefits of undergoing such an exercise.

Mr Weir asked the Minister of the Environment for an update on the timescales for the transfer of powers from Departments to local government.
(AQW 36648/11-15)

Mr Durkan: The functions agreed by the Executive are due to transfer to the new district councils on 1st April 2015 and work is proceeding on all the necessary legislation to achieve the reform of local government by that date.

The transfer of regeneration powers from the Department of Social Development will require primary legislation and Executive agreement to the introduction of this legislation is the next significant step in the local government reform programme. It is crucial that the DSD Bill passes through the Assembly process without delay.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 35459/11-15, given the concerns and lack of clarity in a number of areas around this footage, whether he will now view the footage and provide a report of the contents.
(AQW 36652/11-15)

Mr Durkan: The Department has determined that the current provision of taxi services at Ravenhill Stadium is compliant with the requirements of the Taxis Act (NI) 2008 and, as such, I do not intend to revisit this matter.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 35226/11-15, in relation to video footage gathered at Ravenhill Stadium/Mount Merrion Avenue by the four enforcement officers on duty on 23 August 2013, to detail (i) how many prosecutions have been taken based on the evidence to date; and (ii) how many prosecutions are pending.
(AQW 36653/11-15)

Mr Durkan: The Department has determined that the provision of taxi services at Ravenhill Stadium is compliant with the requirements of the Taxis Act (NI) 2008 and other related legislation and as such no prosecutions are currently being pursued.

Lord Morrow asked the Minister of the Environment, in relation to the incident in which a taxi driver is alleged to have assaulted a woman following a pick up in Carryduff and drop off at the Carr Road area of Lisburn on 16 September 2014, to clarify that his departmental agencies are working with PSNI to establish whether this vehicle was pre-booked for the fare as per his Department's regulations and the requirement of all private hire taxis, or was it hailed on the street.
(AQW 36670/11-15)

Mr Durkan: This alleged incident has not been reported to the DVA. Incidents such as this would be subject to investigation by PSNI. We have not been approached by the PSNI about the alleged incident referred to.

Mr Easton asked the Minister of the Environment who is responsible for enforcing Local Landscape Policy Areas.
(AQW 36682/11-15)

Mr Durkan: Any alleged breach of planning control that occurs within a designated Local Landscape Policy Area (LLPA) will be investigated by the Enforcement section of the relevant DOE Area Planning Office.

The features or combination of features that contribute to the environmental quality, integrity or character of a designated LLPA will be of material consideration in any Enforcement investigation.

Mr Easton asked the Minister of the Environment to detail the current number of MOT centres.
(AQW 36685/11-15)

Mr Durkan: There are currently 15 MOT centres at various locations across Northern Ireland. Information about each test centre can be found on the NIDirect website via the following link:

http://www.nidirect.gov.uk/index/information-and-services/motoring/mot-and-vehicle-testing/about-the-mot-scheme/where-are-the-test-centres.htm

Mr Easton asked the Minister of the Environment to detail the current number of weighbridges.
(AQW 36687/11-15)

Mr Durkan: The Driver & Vehicle Agency (DVA) maintains a network of 10 dynamic axle weighing machines situated throughout Northern Ireland.

Six of the weighbridges are self weigh and are operational on a continuous basis; the other four are based in DVA Test Centre locations and can be accessed by prior arrangement with the Test Centre Manager.

Self weigh facilities are located in Larne, Loughbrickland, Nutts Corner, Sprucefield, Belfast (Garmoyle Street) and Toomebridge. Test Centre weighing facilities are located in Ballymena, Coleraine, Cookstown and Mallusk.

Mr B McCrea asked the Minister of the Environment to detail the number of road deaths since 2010; and what steps his Department is taking to reduce road deaths.
(AQW 36749/11-15)

Mr Durkan: The table below records road deaths in Northern Ireland in recent years

Year	Deaths
2009	115
2010	55
2011	59
2012	48
2013	57
2014 (to 1 October)	60

The PSNI's 'Detailed Trends Report 2013' provides a comprehensive analysis of fatalities over the 5 year period from 2009 including a breakdown by road user type. The report can be viewed at the following link:

http://www.psni.police.uk/2013_detailed_trends_report_-_annual_bulletin_-_published_25th_june_14.pdf

It is important to remember that the number of road traffic fatalities in Northern Ireland has generally been declining since the early 1970s. Indeed, over the last five years (2009 to 2013) the number of people killed on our roads has halved.

I am however extremely concerned by the rise in fatalities in the current year. As Minister of the Environment, I have responsibility for ensuring that a strategic approach is taken to road safety. The Northern Ireland Road Safety Strategy to 2020 sets out the key challenges and objectives for improving road safety. The Strategy identifies casualty reduction targets and details over 200 action measures to deliver improved road safety through education, engineering and enforcement. The implementation process is shared work, involving many parts of government – and all of us as citizens. It is encouraging to note that over half of the Strategy's action measures have already been implemented.

My Department continues to take a range of actions to reduce deaths and serious injuries on our roads. We focus on the principal causation factors, such as drink driving, speeding, carelessness and inattention; and on groups which are over-represented in the casualty figures. The Road Traffic (Amendment) Bill, which I introduced into the Assembly in May, seeks to address a number of these issues.

Perhaps most publicly, my Department addresses high risk behaviours through our information campaigns. In addition to the existing media programme, I have launched two new campaigns in 2014, addressing cyclist safety and inappropriate speed. Both of these have been identified as priority issues.

In addition, we are developing a strategy to improve motorcyclist safety. This work is being taken forward in partnership with the Motorcycle Safety Forum and other key stakeholders. In light of the continuing increase in motorcyclist casualties, we have also commissioned a statistical review of these casualties, including consideration of demographics, location and causation factors. This should allow us to determine areas for early intervention.

I cannot emphasise enough the fact that most of the casualties on our roads are caused by poor road user behaviour. Positively influencing human behaviour is a challenging and long term process. We have made great strides but this task requires continuing effort from all of us. My Department and our road safety partners can educate, engineer and enforce, but ultimately each of us has to take personal responsibility for our attitudes and behaviours as road users.

I believe that the measures I have outlined, along with others carried out by my Department and our partners, will help save lives on our roads. However I can assure you that I will continue to keep the position under review. I believe that every death on our roads is one too many. I will continue to work with all stakeholders to improve road safety and to reduce casualties.

Mr I McCrea asked the Minister of the Environment to outline the current policy for achieving sight lines for single wind turbines where an existing access is already in place.
(AQW 36794/11-15)

Mr Durkan: Development proposals that relate to access are normally assessed under Planning Policy Statement 3 – Access, Movement and Parking. Development Control Advice Note 15 'Vehicular Access Standards' also sets out the current standards for sightlines, radii, gradient etc. that will be applied to both new access and intensified use of an existing vehicular access onto existing public roads.

Consultation will normally take place and comment sought from Transport NI with respect to any proposals which include the creation of a new access or alteration and/or intensification of an existing access.

In circumstances where an existing access is available to facilitate development proposals, the Department will generally expect this to be used, unless there is an opportunity to provide a more acceptable access arrangement, having regard to both road safety and local amenity considerations. For a proposal for a single wind turbine, where an existing field access is to be used for the access for the wind turbine, access improvements may be required. However, each application is assessed on its own merits and on a case by case basis, based on site specific conditions.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 36443/11-15, whether the area is part of a Local Landscape Policy Area (LLPA); and if so, what protection this provides to habitats within the LLPA.
(AQW 36889/11-15)

Mr Durkan: In accordance with PPS 6: Planning, Archaeology and the Built Heritage, LLPAs are designated to help protect those areas within and/or adjoining settlements which are considered to be of greatest amenity value, landscape quality or local significance and are therefore worthy of protection from undesirable or damaging development. They include:

- archaeological sites and monuments and their surroundings;
- listed and other locally important buildings and their surroundings;
- river banks and shore lines and associated public access;
- attractive vistas, localised hills and other areas of local amenity importance; and
- areas of local nature conservation importance, including areas of woodland and important tree groups.

The Commons, Donaghadee, is designated within the Ards & Down Area Plan as LLPA 8 – "The Commons" and coastline. It is described within the Plan as an attractive stretch of coastline affording views out to sea, a valuable area of local amenity importance with extensive public walkways, and including both passive and active recreational areas. Under Policy CON 2 of the Plan planning permission will not be granted to development proposals which would be liable to adversely affect environmental quality, integrity or character of LLPAs.

Habitats are specifically afforded protection by Planning Policy Statement 2: Natural Heritage; however this particular area is designated on the basis of its landscape and amenity value, not as a habitat.

Planning officials have investigated the vegetation clearance on this site and consequently did not identify a breach of planning control as the activity did not constitute development.

Department of Finance and Personnel

Mr Hussey asked the Minister of Finance and Personnel to detail all floor and room modifications in the Northern Ireland Civil Service office estate exceeding £5,000 over the last twelve months, including (i) the total cost in each case; (ii) the rationale for the work in each case; and (iii) whether his Department is aware of any planned work for the remainder of the current financial year.
(AQW 35472/11-15)

Mr Hamilton (The Minister of Finance and Personnel): The details of floor and room modifications in the Northern Ireland Civil Service office estate, managed by and paid for by my Department, exceeding £5,000 completed over the last twelve months, including (i) the total cost in each case; (ii) the rationale for the work in each case; and (iii) planned work for the remainder of the current financial year are given in the attached tables.

Each department has responsibility for its own specialised buildings which do not fall within the DFP office estate consequently each department would require to be approached individually in this regard.

In summary, the total spend by my Department over the last twelve months amounts to £4,432,650. It is also planned that £2,954,500 of floor and room modifications will be completed within the rest of this financial year.

Table 1: Floor Room modifications funded by DFP September 2013 – August 2014

	Scheme	Cost	Status	Rationale
1	Andersonstown JBO	£8,250	Complete	Temporary self service facility required due to termination of commercial catering contract.
2	Lanyon Plaza	£2,272,000	Complete	Fit out of new HQ building to bring LPS staff together from several other buildings and surrender leases.
3	Castle Court	£894,000	Complete	Refurbishment of 4th floor to Workplace NI (WPNI) standards to increase workstation density and make better use of space .
4	Carleton House	£46,400	Complete	SIB staff move from Clare House, linked to 5. below.
5	Clare House	£210,000	Complete	Move of DFP staff to Clare House from Rathgael. Move of DFP staff from Causeway Exchange and increase of WPNI workstation density to make better use of space for CPD staff.
6	Clarence Court	£420,000	Complete	Move of DEL staff to Clarence Court, owned building, to allow rolling refurbishment programme to take place in Adelaide House, owned building.
7	Causeway Exchange	£274,000	Complete	Move of DOE staff to from Millennium House and Bedford House to increase workstation density to allow surrender of leases. Linked to 5. above.
8	Northland House	£308,000	Complete	Refurbishment of 3 floors for occupation of DFP and Reform of Property Management staff in vacant, owned building.
Total funded by DFP September 13 – August 14		**£4,432,650**		

Table 2: Planned work for the remainder of the current financial year

	Scheme	Cost	Status	Rationale
1	Marlborough House	£240,000	Completion due by end September 14	Alterations in owned building to increase workstation density to allow for move of DSD staff from Magowan Buildings and surrender the lease.

	Scheme	Cost	Status	Rationale
2	Ladas Drive	£50,000	Completion due by end March 15	Alterations in owned HQ building to increase workstation density to allow move of HSENI staff from Longbridge House and surrender the lease.
3	Waterside House	£320,000	Completion due by March 15	Opening up of floor in owned building to increase workstation density to accommodate additional DFP staff.
4	Bedford House	£195,000	Completion due by March 15	Alterations to 1st floor to increase workstation density for DOE staff and allow a reduction in leased space within Bedford House.
5	Holywood Rd JBO	£20,000	Completion due by March 15	Removal of commercial kitchen and installation of self service facility due to termination of commercial catering contract.
6	Falls Rd JBO	£20,000	Completion due by March 15	Removal of commercial kitchen and installation of self service facility due to termination of commercial catering contract.
7	Enniskillen JBO	£16,500	Completion due by March 15	Removal of commercial kitchen and installation of self service facility due to termination of commercial catering contract.
8	Armagh JBO	£20,000	Completion due by March 15	Removal of commercial kitchen and installation of self service facility due to termination of commercial catering contract.
9	Adelaide House (2 year project)	Value of work in 14/15 £1,150,000	On site November	Refurbishment scheme to WPNI standards to increase workstation density and improve space utilisation in owned building.
10	Castle Court (2 year project)	Value of work in 14/15 £743,000	On site December	Refurbishment of 3 floors (2, 3 and 5) to WPNI standards to increase workstation density and improve space utilisation.
11	Newcastle SSO	£180,000	Planning stage	Proposed move of DEL staff from poor leased accommodation into owned building.
Total of planned work for the remainder of the current financial year		**£2,954,500**		

Mr Kinahan asked the Minister of Finance and Personnel what system is in place to measure the access and uptake of innovation amongst local companies.
(AQW 35732/11-15)

Mr Hamilton: Invest NI offers a wide range of Research & Development and Innovation (R&D & I) schemes designed specifically to help companies of all sizes and all stages of their development to engage in R&D & I activities. The schemes range from Project Definition which offers support to businesses to plan and test the feasibility of R&D proposals, to individual company grants for R&D implementation through to the multi-million pound industry-led Competence Centres which are designed to encourage collaborative and strategic research by Northern Ireland businesses.

Invest NI has a team of Innovation Advisers who are actively involved with local businesses to raise awareness of the support available and to assist them to become involved in innovation and first time R&D by supporting in the initial application process. In addition to the above, this would include the provision of support to allow companies to access smaller scale innovation activities such as:

- Specialist technical advice and guidance;
- Product and process development;
- IP / Patents and manufacturing standard advice and assistance;
- Advice and support with regards to all elements of the design process;
- Tailored ICT and eBusiness support;
- Advice and assistance to help businesses identify projects to reduce energy, water, waste and raw materials costs.

The Northern Ireland Statistics and Research Agency (NISRA) publishes an annual survey based estimate of Northern Ireland businesses' R&D activity as a National Statistic.

A separate biennial UK Innovation Survey is conducted by the Office for National Statistics and a Northern Ireland analysis is also produced by NISRA. This report contains information on the extent of innovation activity in Northern Ireland, the impact of innovation on businesses as well as barriers to innovation.

Both reports are available via the DETI website. http://www.detini.gov.uk/index/what-we-do/deti-stats-index/stats_publications_2014_onwards/innovation_survey.htm

Mrs Cochrane asked the Minister of Finance and Personnel to detail (i) the number of commercial organisations that have had rates bills written off in each of the last three years; (ii) the rationale for the decision with respect to each organisation; and (iii) the full amount written off in each case.
(AQW 36086/11-15)

Mr Hamilton:

(i) **Detail the number of commercial organisations that have had rates bills written-off in each of the last three years**

Information on the number of commercial organisations that have had rates bills written-off in each of the last three years is not available. The number of domestic and non-domestic properties for which some or all rates were written-off, in each of the last three years, is provided in the table below.

Sector	2013/14	2012/13	2011/12
Domestic	22,329	21,268	14,034
Non-Domestic	4,360	4,295	3,448

(ii) **Detail the rationale for the decision with respect to each organisation**

The rationale to write-off rating liability, with respect to each organisation, is not available. However, a number of primary factors are considered when determining any write-off. Primary factors include:

- Legislative
  - On legal advice.
  - Statute barred.
  - Where a company has been listed for more than six months for a strike-off from the Companies House register.
  - Where an insolvency order has been issued to the ratepayer.
  - In cases where the Enforcement of Judgments Office (EJO) has issued a Certificate of Unenforceability.
- Traceability
  - The debtor is untraceable and all reasonable steps have been taken to recover the debts.
- Economical
  - It is deemed uneconomical to recover.
- Discretionary
  - Where the circumstance of the case dictates a compassionate approach and makes recovery unreasonable.
  - The death of the debtor, where it proves difficult to recover the debt.

(iii) **Detail the full amount written-off in each case**

Information on the amount of rates written-off for commercial organisations is not available. The net amount of rates written-off in the domestic and non-domestic sectors, in each of the last three years, is provided in the table below.

Sector	2013/14	2012/13	2011/12
Domestic	£9,378,966	£8,414,756	£4,393,638
Non-Domestic	£22,246,389	£20,690,971	£17,493,775

Mr McKay asked the Minister of Finance and Personnel to detail the amount of rates deferred per annum due to provisions made for pensioners.
(AQW 36448/11-15)

Mr Hamilton: There are currently 35 ratepayers of pensionable age with active agreements in place to defer payment of rates within the terms of The Rates (Deferment) (Revocation and Savings) Regulations (Northern Ireland) 2012. The amount of rates deferred per annum is illustrated in the attached table.

Rating Year

	2010/11	2011/12	2012/13	2013/14	2014/15	Total
Total	£21,748.97	£52,661.90	£53,935.94	£54,795.86	£55,707.88	£238,850.55

Mr Dunne asked the Minister of Finance and Personnel what action he has taken to encourage HM Treasury to reduce VAT on tourist accommodation and visitor attractions.
(AQW 36503/11-15)

Mr Hamilton: Following a Motion I brought to the NI Assembly in September 2012 in support of a reduced rate of VAT for the hospitality industry, my predecessor raised this issue with the former Exchequer Secretary, David Gauke MP. The former Exchequer Secretary responded that any reduction in VAT would need to apply across the United Kingdom as a whole and that, in his view, the cost of lowering the rate of VAT for the hospitality sector would be too high. I have no indication that the Treasury position on this has changed.

Ms Sugden asked the Minister of Finance and Personnel how many social economy enterprises in East Londonderry have secured opportunities for growth through public sector procurement contracts, in each of the last three years.
(AQW 36543/11-15)

Mr Hamilton: Central Procurement Directorate monitors the level of participation and success of social economy enterprises in public procurement contracts awarded by Centres of Procurement Expertise. However, this data cannot be filtered by geographical location.

Ms Sugden asked the Minister of Finance and Personnel how many small and medium enterprises in East Londonderry have secured business opportunities through public sector procurement contracts, in each of the last three years.
(AQW 36544/11-15)

Mr Hamilton: Central Procurement Directorate monitors the level of participation and success of small and medium sized enterprises in public procurement contracts awarded by Centres of Procurement Expertise. However, this data cannot be filtered by geographical location.

Mr Campbell asked the Minister of Finance and Personnel to detail the estimated number of home owners that are over 70 and living alone and have not availed of the discount available on domestic rates payments.
(AQW 36564/11-15)

Mr Hamilton: The information requested is not available.

Mr McElduff asked the Minister of Finance and Personnel how his Department assists micro-businesses, which have ten or less employees, to be better prepared for public sector procurement opportunities; and whether his Department will make the procurement process easier and more accessible for micro-businesses.
(AQW 36577/11-15)

Mr Hamilton: The Procurement Board has a continuous focus on encouraging SMEs to tender for public sector opportunities which in turn will help support economic growth in Northern Ireland. The category of SME includes micro-businesses.

CPD works closely with the All Island Public Procurement Steering Group, including key partners Invest NI and InterTradeIreland, to ensure practical advice and information on public procurement is available to SMEs. Workshops are available to help suppliers develop the confidence, knowledge and practical skills to tender successfully for public sector contracts, in addition to a set of helpful online resources. Regular 'Meet the Buyer' events enable over 1,000 suppliers to meet with public sector buyers each year, gaining an insight into the tendering process and how they can gain access to it.

CPD working in partnership with industry has implemented a number of initiatives to simplify the procurement process and reduce bidding costs. These initiatives include clearer specifications, removing the minimum eligibility requirements for low value supplies and services contracts and awarding contracts on lowest acceptable price where possible. Standard conditions of contract for supplies and services across all departments, agencies and non-departmental public bodies have been introduced from 1 October 2014.

Mr Gardiner asked the Minister of Finance and Personnel for her assessment of the impact over the last three years on small and medium sized businesses of opening up the government procurement process.
(AQW 36591/11-15)

Mr Hamilton: A key objective of the Procurement Board is to use public procurement to support economic growth in Northern Ireland. There has been a continuing focus on ensuring that opportunities for local businesses to bid for contracts are maximised and on reducing bureaucracy in the procurement process.

The last three years of available data, covering 2010/11 to 2012/13, indicate that this objective is positively impacting on small and medium sized businesses (SMEs).

SMEs have increased their share of contracts awarded from 77% in 2010/11 to 80% in 2012/13, and increased their share of the total value awarded from 44% in 2010/11 to 62.1% in 2012/13.

The share of contracts awarded to SMEs based in Northern Ireland has remained constant over the last three years of available data, and accounted for over two thirds (68.1%) of all contracts awarded in 2012/13.

Mr Boylan asked the Minister of Finance and Personnel to outline the Civil Service Redeployment Strategy.
(AQW 36776/11-15)

Mr Hamilton: The Redeployment Policy for the Northern Ireland Civil Service sets out arrangements for the redeployment of all permanent Northern Ireland Civil Service staff who, for whatever reason, become surplus to a department's requirement.

A primary aim of the Redeployment Policy is to ensure the absorption of surplus staff by means of redeployment either to other suitable posts in the same department, insofar as this is possible, or in another department. The employing department is responsible initially for making every effort to absorb its own surplus staff or to place them in other departments. Only when these measures have been exhausted can a formal surplus be declared to Corporate HR Resourcing Division, DFP.

If necessary, Corporate HR DFP may introduce various formal corporate measures to assist in the redeployment of surpluses and to maximise redeployment opportunities. In such circumstances, staff will be advised of the introduction of these measures.

Further information on the Northern Ireland Civil Service Redeployment policy is available in the NICS staff handbook which can be accessed on the following website: www. dfpni.gov.uk/index/working-in-the-nics.

Mr Allister asked the Minister of Finance and Personnel to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 36866/11-15)

Mr Hamilton: The current number of staff employed in the Department's Information Service is five.

In the financial year 2013/14, the latest complete year for which information is available, the total cost of Information Service staff in DFP was £198,442.

Department of Health, Social Services and Public Safety

Mr Beggs asked the Minister of Health, Social Services and Public Safety for his assessment of whether malnutrition in the community results in costly hospital admissions, longer lengths of stay and increasing pressure on the Health Service; and what action is being taken to avoid such admissions.
(AQW 35863/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): My Department is committed to tackling the issue of malnutrition, not only in hospital settings, but throughout all care settings as a whole. The Promoting Good Nutrition Strategy', launched by my Department in 2011, aims to improve the quality of nutritional care of adults in Northern Ireland through the prevention, identification and management of malnutrition in all health and social care settings including people's own homes. The following table provides the estimated number of admissions over the past three years and the average length of stay where a diagnosis of malnutrition was present. It should be noted that in many of the cases, malnutrition was recorded as a secondary diagnosis and was therefore not the main reason for the patient's admission to hospital.

Admissions1 to HSC Hospitals in Northern Ireland and average length of stay where a diagnosis of malnutrition2 was present, 2011/12 - 2013/14

Year	Admissions	Average Length of Stay
2011/12	104	26.5
2012/13	84	22.1
2013/14	118	13.9

Source: Hospital Inpatient System

Notes

1 Admissions are estimated by deaths and discharges

2 Malnutrition is defined using the following International

Classification of Disease (revision 10) codes, searched for in any of 17 diagnosis fields

E40 Kwashiorkor

E41 Nutritional marasmus

E42 Marasmic kwashiorkor

E43 Unspecified severe protein-energy malnutrition

E44 Protein-energy malnutrition of moderate and mild degree

E45 Retarded development following protein-energy malnutrition

E46 Unspecified protein-energy malnutrition

Mr Copeland asked the Minister of Health, Social Services and Public Safety for his assessment of the services offered in Antrim Area Hospital to patients who have suffered a stroke.
(AQW 36132/11-15)

Mr Poots: Delivery of Stroke services at Antrim Area Hospital is the responsibility of the Northern Health and Social Care Trust. The Trust has advised that the current service delivers a comprehensive, multi-disciplinary response for patients diagnosed with a stroke. Future investment may be required to ensure its sustainability and to enable further developments.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what training is provided to medical staff in hospitals or nursing homes to enable the early diagnosis of Progressive Supranuclear Palsy and Corticobasal Degeneration.
(AQW 36141/11-15)

Mr Poots: Training in the early diagnosis of Progressive Supranuclear Palsy and Corticobasal Degeneration is included in the curriculum delivered to trainee doctors specialising in Neurology.

In addition, those foundation and core medical trainees who have an attachment to a neurology department during their training programme will gain exposure to these and other movement disorders.

Mr Frew asked the Minister of Health, Social Services and Public Safety what work is being conducted to provide enhancements to community respiratory teams in the Northern Health and Social Care Trust area.
(AQW 36172/11-15)

Mr Poots: The Northern Health and Social Care Trust (NHSCT) has actively sought to make enhancements to the work of the community teams by collaborating with health and social care commissioners to address challenges that include an increasing demographic demand and a high level of smoking-related illness in the area.

The NHSCT has worked as an integral part of the Northern Respiratory Integrated Care Multi-disciplinary Partnership which has been established with the aim of providing integrated respiratory care across care settings with a focus on community and primary care.

The Respiratory Integrated Care Multi-disciplinary Partnership has developed a revenue business case for consideration by the Health and Social Care Board (HSCB) which, if supported, would provide an enhancement of the Specialist Respiratory Teams in respect of the nursing, physiotherapy and support staffing resource. Such enhancement would enable an expansion of the working day in order to provide an early evening Specialist Respiratory Team service and would facilitate the introduction of a modest weekend service. This enhancement would improve access to the Respiratory Specialist Teams for patients in the community with the aim of preventing avoidable admissions and facilitating early hospital discharge for patients with chronic respiratory illness as clinically appropriate. A bronchiectasis service would be established following a successful pilot and pulmonary rehabilitation would be expanded.

The time frame for this is dependent upon approval of the business case, funding allocation being received and recruitment processes.

In 2014, the NHSCT received a non-recurrent allocation for 2 whole time equivalent Band 6 and 0.5 Band 3 posts in order to provide oxygen therapy assessments. The Trust is in the process of sourcing temporary appointments.

At a regional level, the Service Framework for Respiratory Health and Wellbeing includes standards which recognise the role of community respiratory teams in the management of Chronic Obstructive Pulmonary Disease (COPD), as well as their role in the social and emotional support of patients and carers. The Framework has undergone a fundamental review and was issued for public consultation on 1 October 2014.

Mr Frew asked the Minister of Health, Social Services and Public Safety what work is being conducted to streamline and enhance the Diabetes Foot Care Pathway within an acute setting in the Causeway area.
(AQW 36173/11-15)

Mr Poots: The Northern Health and Social Care Trust (NHSCT) has worked as an integral part of the Northern Diabetes Integrated Multi-disciplinary Partnership in the development of a Diabetic Foot Pathway for the NHSCT, with an initial implementation planned for Causeway Hospital.

The Partnership has sought to provide a streamlined multi-disciplinary approach to diabetic foot care within the acute setting. The improved model is in line with the National Institute for Health and Care Excellence (NICE) guideline CG119 “Diabetic Foot Problems: Inpatient Management of Diabetic Foot Problems” which provides evidence-based advice on the inpatient care of people with diabetic foot problems from hospital admission onwards. A revenue business case has been developed and if successful will provide dedicated access to a specialist multi-disciplinary foot care team.

Mr Frew asked the Minister of Health, Social Services and Public Safety how patients who are at most risk of deterioration are identified prior to being admitted.
(AQW 36188/11-15)

Mr Poots: It is assumed this question relates to patients being admitted via an emergency department. In the pre-hospital setting, on receipt of an emergency call the Northern Ireland Ambulance Service (NIAS) triages patients into three categories

of emergency response based on the chief complaint and an assessment of the seriousness of the injury or illness. All NIAS paramedics and emergency medical technicians are trained in the clinical assessment of patients. NIAS personnel and emergency vehicles are trained and equipped to monitor a range of clinical and physiological parameters and detect any deterioration in a patient's condition on the way to hospital and take appropriate action.

On arrival in the emergency department, patients are triaged and assessed in accordance with the Manchester Triage system and given a clinical priority. Clinical observations (Early Warning Score) are recorded as part of the triage process. The triage process will identify patients with higher risk/time dependent conditions such as stroke and heart attacks and allow them to be prioritised accordingly. While a patient is awaiting assessment by a doctor or waiting to be admitted, ongoing assessment by nursing staff takes place in keeping with the patient's clinical condition and Early Warning Score which will determine the frequency of clinical observations.

Mr Rogers asked the Minister of Health, Social Services and Public Safety what plans he has to review the level and types of optometry care offered to children in the early years of their education.
(AQW 36192/11-15)

Mr Poots: The Department's 2012 eyecare strategy "Developing Eyecare Partnerships, Improving the commissioning and provision of eyecare services in Northern Ireland" aims to improve the eyecare of the population in Northern Ireland, including children and young persons. The strategy is evidence based and the Health and Social Care Board continually reviews emerging optometric clinical practices to ensure that optometric eyecare provision is evidence based, safe and effective.

All Primary 1 children are invited to engage in an orthoptic-led universal vision screening programme which has an excellent uptake rate in excess of 90%. As with other screening programmes it is delivered in line with National Screening Committee guidelines and as such is subject to quality assurance and audit with oversight through the Public Health Agency. In addition over 90,000 NHS Sight Tests are provided by Primary Care (High Street) Optometrists to children aged 6-15yrs annually in Northern Ireland. Sight Tests are available for all children under 16, free of charge, along with assistance towards the cost of an optical appliance, if prescribed.

The HSCB regularly consults with ophthalmic clinicians across primary and secondary care to ensure that appropriate patient pathways are in place to manage children who have ophthalmic conditions.

Mr Rogers asked the Minister of Health, Social Services and Public Safety what plans he has to review the level and types of optometry care offered to young children before they begin formal education.
(AQW 36193/11-15)

Mr Poots: The Department's 2012 eyecare strategy "Developing Eyecare Partnerships, Improving the commissioning and provision of eyecare services in Northern Ireland" aims to improve the eyecare of all the population in Northern Ireland including children and young persons.

In relation to pre-school children the "Healthy Child, Healthy Future" Framework (2010) with its emphasis on the integration of services promotes and specifies the surveillance and screening of all children, including young children before they enter formal education. Through structured contacts and interventions at neonatal, new baby review, at 14-16 weeks', 1 year and at 2-2.5 years, there is opportunity to identify potential ophthalmic problems and signpost children and their parents to the most appropriate member of the healthcare team, which may be an optometrist.

The Health and Social Care Board continually monitor the level and quality of Optometry care provided within Northern Ireland and regularly engages with ophthalmic clinicians across primary and secondary care to ensure that appropriate patient pathways are in place to manage children who have ophthalmic conditions at all stages of their development.

Mr Frew asked the Minister of Health, Social Services and Public Safety to detail (i) the number of complaints received by each Health and Social Care Trust; (ii) how complaints relate to population size; and (iii) what steps his Department has taken to investigate the rise in the number of complaints, in the last twelve months.
(AQW 36279/11-15)

Mr Poots: Information on the number of complaints received by individual HSC Trusts during the period 1 April 2013 to 31 March 2014 is outlined in the table below.

HSC Trust	No of Complaints
Belfast	2,514
Northern	997
South Eastern	1,343,
Southern	1,032
Western	800
NIAS	150

HSC Trust	No of Complaints
Total for N Ireland	**6,836**

Since the introduction of the revised HSC Complaints Procedure in 2009, there has been a steady increase in the number of complaints received across HSC Trusts. This is to be expected given the drive to promote the HSC Complaints procedure and improve access to complaints resolution. This is a positive indication of the improved culture of complaint handling across the HSC.

Not all HSC services are provided by every Trust. Some services are provided on a regional by a single Trust or on a sub regional basis by two-three Trusts. In such circumstances complaints are recorded against the HSC Trust which has responsibility for providing the relevant service. This may not necessarily be the patient's Trust of residence. It is not possible to separate out complaints made in relation to regional or sub-regional services and therefore it is not appropriate to relate numbers of complaints made to a Trust to the population of that Trust.

The figures in the table refer to the number of complaint issues received by each HSC Trust in relation to the services they provide.

Ms McGahan asked the Minister of Health, Social Services and Public Safety, given that Craigavon Area Hospital is preparing to open the "Winter Ward" and that in the past two weeks, extra beds have been placed in all wards at night, to detail the reasons for the "effective closure" of eight rehabilitation/long term care beds in Loane House, Dungannon, which is compounding the bed crisis in Craigavon Area Hospital; and whether it is now common practice that patients are moved between wards from midnight to 6am, in order to avoid breaching target times.
(AQW 36345/11-15)

Mr Poots: In recent years there has been a notable reduction in demand for beds in Loane House over the summer months. This summer 10 beds were temporarily reduced due to lack of demand. This is normal practice in response to seasonal variation in demand and the beds at Loane House can be reopened as and when the need arises.

The Southern Health and Social Care Trust has advised that changes to beds in a non acute facility have no effect on the position at Craigavon Area Hospital, which is an acute facility.

The movement of patients regardless of the time is only considered to ensure that all patients are provided with safe, high quality care at all times.

Mr Hussey asked the Minister of Health, Social Services and Public Safety whether he can provide an assurance that the cardiac ambulance based at Tyrone County Hospital in Omagh will continue to operate from that location.
(AQW 36367/11-15)

Mr Poots: The operation of the cardiac ambulance (the 'mobile coronary care unit') based at Tyrone County Hospital is the responsibility of the Western Health and Social Care Trust.

The Trust has advised that mobile coronary care units were previously used to deliver thrombolytic therapy for patients with ST elevation myocardial infarction (STEMI) and to deliver resuscitation services for patients with out-of-hospital cardiac arrest. Mobile coronary care is now provided by a paramedic-delivered service as part of overall strategies to improve treatment of patients with STEMI and to improve resuscitation of patients with out-of-hospital cardiac arrest. Thrombolytic therapy has now been replaced by primary percutaneous coronary intervention (pPCI) provided for the entire west of Northern Ireland on a 24/7 basis in Altnagelvin Area Hospital.

Mr Hussey asked the Minister of Health, Social Services and Public Safety whether he can provide an assurance that the Cardiac Assessment Unit based in Omagh is not earmarked for closure; and that the unit will be relocated to the new Omagh Enhanced Hospital on completion.
(AQW 36369/11-15)

Mr Poots: The Western Health and Social Care Trust has advised that the cardiac assessment unit in Tyrone County Hospital is an essential and indispensable part of the Western Trust's cardiac service and will continue as such. The unit will move into the new Omagh Enhanced Local Hospital when it is complete.

The cardiac service on the Tyrone County Hospital site has been expanded recently, with four consultant cardiologists now covering the site, with a resultant increase in clinics and cardiological investigations performed.

Mr Hussey asked the Minister of Health, Social Services and Public Safety whether staff numbers at the Cardiac Assessment Unit in Omagh are being reduced, given that staff are being asked to take all time owed and holidays.
(AQW 36371/11-15)

Mr Poots: The Western Health Social Care Trust has advised that there are no plans to reduce Staff numbers at the CAU in Omagh. Staff working within the Unit have not been asked to take time owing or holidays other than the holidays that they have planned to take.

Mr Copeland asked the Minister of Health, Social Services and Public Safety to detail (i) the out-of-hours GP services; and (ii) the number of times that each service has been closed since 1 January 2014.
(AQW 36440/11-15)

Mr Wells: The Health & Social Care Board (HSCB) commissions GP Out of Hours (OOHs) services for Northern Ireland from 5 provider organisations:

- Belfast Health and Social Care Trust;
- Dalriada Urgent Care (Northern Area);
- South Eastern Health and Social Care Trust;
- Western Urgent Care; and
- Southern Health and Social Care Trust.

The number of closures that each service has had since 1st January 2014 is as follows:

- Belfast Health and Social Care Trust - There are 2 OOHs bases within the Trust area and neither of these has been closed since January 2014.
- Dalriada Urgent Care – There are 4 OOHs bases within the Trust area and there have been no closures since January 2014 when OOHs has been operational, however, after midnight the bases normally close and are covered by 2 mobile cars. OOH bases can be opened as required, to see patients.
- The South Eastern Health and Social Care Trust – There are 3 OOHs bases within the Trust area and there have been no closures since January 2014.
- Western Urgent Care – There are 5 OOHs bases within the Trust area and there have been no closures since January 2014.
- In the Southern Health and Social Care Trust – There are 5 OOHs bases within the Trust area and there have been a number of closures since January 2014. The closures were as follows; Newry 1; Craigavon 2; Dungannon 3; Kilkeel 43; and Armagh 86. At these times patients received telephone advice; home visits as normal; or they were advised to attend a more appropriate service such as a Minor Injuries or the Emergency Department. If a face to face consultation was required, the nurse or doctor would have arranged an appointment at the patients nearest available OOHs base.

The HSCB is working with HSC Trusts and OOHs providers in order to try and address the issue of unfilled shifts. In supporting both GP and nursing colleagues the HSCB has invested an additional £1.5million to the OOHs budget during 2014/15 in order to support the provision of OOHs services across NI.

Given the demand being placed on GP OOHs it is essential that patients understand that the OOHs service is designed to deal with urgent calls only and that patients with non-urgent needs are best dealt with during the day at their local GP surgery, via self-care or accessing their local community pharmacy.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the issue of patients who are not normally resident in Northern Ireland, accessing primary and secondary healthcare services; and (ii) what actions he has taken to address this.
(AQW 36444/11-15)

Mr Wells: Entitlement to health and social care in Northern Ireland is residency based. Non UK residents are normally charged for health and social care services that they receive here unless one of the exemptions included in the Provision of Health Services to Persons not Ordinarily Resident Regulations (NI) 2005 (the Regulations) apply in their case.

The Regulations also include a list of limited treatment that can be provided to all persons regardless of their status including;

- treatment given in an accident and emergency department (until such times as the patient becomes an in-patient);
- treatment for certain communicable diseases;
- treatment at a sexual health clinic (excluding HIV/AIDS where it is only the first diagnosis and connected counselling sessions that are charge free); and
- compulsory psychiatric treatment.

Available data indicates the number of non-UK citizens that have been provided with medical services over the last 5 years is as follows:

- 2009/10 6,658
- 2010/11 7,013
- 2011/12 6,980
- 2012/13 6,501
- 2013/14 7,368

In June 2013 an Access to Health Care Team was established within the Business Services Organisation. This specialist unit provides advice and guidance to HSC Trusts on how to deal with inappropriate access to health care. The Team has worked on systems and processes for trial and development with Trusts, to identify potentially chargeable patients from either overseas or EEA member states and systems are in place for Trusts to recover associated medical charges. The team

provided specialist training for HSC staff and on an on-going basis provides expert and specialist advice to HSC staff across Primary, Secondary and Social Care Services.

Collaborative work between the BSO, HSCB, DHSSPS and the Home Office has resulted in a number of initiatives being taken forward in relation to the identification of patients who are not resident in Northern Ireland and who wrongfully claim health care services. Non resident patients from whom medical charges over £1,000 have not been recovered are not allowed back into the country until they clear any outstanding debt.

A Memorandum of Understanding has been developed with the Department of Social Protection in the Republic of Ireland to facilitate the sharing of information to assist in the determination of residency.

Mr Campbell asked the estimated expenditure on Health Service provision from 2003 to 2013.
(AQW 36468/11-15)

Mr Wells: The total Departmental Expenditure Limit (DEL) final outturn, for the financial years 2004/05 to 2012/13 is as follows:

Financial Year	**Total DEL[1] Final Outturn £bn**
2012/13	4.81
2011/12	4.60
2010/11	4.52
2009/10(3)	4.53
2008/09	4.34
2007/08	4.00
2006/07	3.76
2005/06	3.46
2004/05(2)	3.24

Notes:

1. Comprises current expenditure and capital investment expenditure.
2. Earliest figures available.
3. Figures for 2009/10 and earlier years are not directly comparable with those relating to 2010/11 and later, due to issues such as the Review of Public Administration and changes in budgeting classifications (eg Clear Line of Sight).

Mr Weir asked the Minister of Health, Social Services and Public Safety whether the joint health and education project, part-funded by Atlantic Philanthropies targeting early intervention, intends to distribute expenditure through his Department and its arm's-length bodies, or through community based applications.
(AQW 36484/11-15)

Mr Wells: The Early Intervention Transformation Programme seeks to act as a catalyst for transformative change in how services are delivered to children and families across Northern Ireland in order to measurably improve outcomes for children. Through this, it seeks to support children and families both earlier and more effectively, before problems become embedded. To this end, the Programme will not work as a general fund which accepts applications for funding, but rather will have clear objectives, outcomes, indicators and a range of targeted interventions to meet those objectives. These interventions will be delivered via a range of organisations. Where this provision is out-with the statutory sector, a tender process will be used.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety to detail the policies which are in place in each Health and Social Care Trust to ensure that patients and their relatives are informed which health professional has overall responsibility for their care, and of the means by which they can contact this individual when required.
(AQW 36523/11-15)

Mr Wells: Care may be delivered in a number of different settings including primary, secondary and community. The policy or practice for informing patients or their relatives which health professional has overall responsibility for their care varies across these programmes of care and the services being offered. It is considered good practice to share the details of the lead health professional with patients clients and to share the most suitable means by which to contact them.

Mr Copeland asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32999/11-15, (i) how publishing information on less than five cases could compromise patient confidentiality; (ii) in how many cases the numbers

were less than five; and (iii) will he now answer the original question that was asked in cases where the number of incidences was more than five.
(AQW 36524/11-15)

Mr Wells: To ensure that details relating to an identifiable person are neither directly nor inadvertently divulged, all statistical information released by the DHSSPS is processed for confidentiality in accordance with the strict disclosure guidelines set out by the Office of National Statistics. A copy of the guidance can be accessed at
http://www.ons.gov.uk/ons/guide-method/best-practice/disclosure-control-of-health-statistics/confidentiality-guidance.pdf

These methods are sufficient to protect the privacy of individual information, but not so restrictive as to limit unduly the practical utility of the statistics produced by DHSSPS.

You have asked for a breakdown of SAI incidents classified by the nature of the incident. Each SAI is treated individually and each SAI typically involves a unique set of circumstances. Where any pattern or common factors are identified by the HSCB/PHA these will typically be reflected within learning letters issued to the HSC or in other HSCB/PHA communications which highlight learning emerging from SAIs.

The HSCB/PHA categorises SAIs by Programmes of Care. These include Mental Health, Acute Services, Family and Child Care, Learning Disability, Corporate Business/Other, Maternity and Child Health, Primary Health and Adult Community (including General Practice), Elderly, Physical Disability and Sensory Impairment and Health Promotion and Disease Prevention.

The purpose of the SAI system is to identify and promote learning from events. The investigation of an SAI provides a mechanism to effectively share learning in a meaningful way; with a focus on quality and safety, ultimately leading to service improvement for service users.

Incidents can occur in any setting including registered homes, in the community and in acute care settings and they are not always patient safety related. They may relate to child protection issues, estate type issues, information data breaches or health and safety issues relating to staff. The death of any child in receipt of HSC services (up to their 18th birthday) which includes hospital and community services, a looked after child or a child whose name appears on the child protection register are currently required to be always reported as serious adverse incidents. There is also a requirement to report, as part of the SAI process, the suspected suicide of a service user who has a mental illness or disorder (as defined within the Mental Health (NI) Order 1986) and known to or referred to mental health related services in the 12 months prior to the incident. The HSCB/PHA also does not collect information on SAIs on an individual hospital basis. This is only available on a Trust basis. Regardless of the setting in which a particular incident occurs an SAI investigation will often consider the engagements which took place with the patient/client in other settings and with other service providers. Issues of communication between service providers as well as with patients/clients can for example be one of the areas of learning which can be identified from an SAI investigation.

A full copy of the current guidance on the Reporting and Investigation of SAIs can be accessed at -

http://www.hscboard.hscni.net/publications/Policies/102%20Procedure_for_the_reporting_and_followup_of_Serious_Adverse_Incidents-Oct2013.pdf

The HSCB/PHA publishes information on SAIs on a six monthly basis. The latest SAI report for the period October 2013 to March 2014 can be accessed at -

http://www.hscboard.hscni.net/board/meetings/June%202014/Item%2015%20-%2004%20-%20HSCB-PHA%20Serious%20Adverse%20Incidents%20Learning%20Report%20March%202014%20PDF%20689KB.pdf#search="learning report"

Mr Copeland asked the Minister of Health, Social Services and Public Safety how many Serious Adverse Incidents occurred in each of the last ten years broken down by (i) hospital and (ii) the nature of the incident; and whether in any case the Health and Social Care Trust's response was below standard and resulted in the death of patients.
(AQW 36525/11-15)

Mr Wells: You have asked for a breakdown of SAI incidents classified by the nature of the incident. Each SAI is treated individually and each SAI typically involves a unique set of circumstances. Where any pattern or common factors are identified by the HSCB/PHA these will typically be reflected within learning letters issued to the HSC or in other HSCB/PHA communications which highlight learning emerging from SAIs.

The HSCB/PHA categorises SAIs by Programmes of Care. These include Mental Health, Acute Services, Family and Child Care, Learning Disability, Corporate Business/Other, Maternity and Child Health, Primary Health and Adult Community (including General Practice), Elderly, Physical Disability and Sensory Impairment and Health Promotion and Disease Prevention.

The purpose of the SAI system is to identify and promote learning from events. The investigation of an SAI provides a mechanism to effectively share learning in a meaningful way; with a focus on quality and safety, ultimately leading to service improvement for service users.

Incidents can occur in any setting including registered homes, in the community and in acute care settings and they are not always patient safety related. They may relate to child protection issues, estate type issues, information data breaches or health and safety issues relating to staff. The death of any child in receipt of HSC services (up to their 18th birthday) which

includes hospital and community services, a looked after child or a child whose name appears on the child protection register are currently required to be always reported as serious adverse incidents. There is also a requirement to report, as part of the SAI process, the suspected suicide of a service user who has a mental illness or disorder (as defined within the Mental Health (NI) Order 1986) and known to or referred to mental health related services in the 12 months prior to the incident. The HSCB/PHA also does not collect information on SAIs on an individual hospital basis. This is only available on a Trust basis. Regardless of the setting in which a particular incident occurs an SAI investigation will often consider the engagements which took place with the patient/client in other settings and with other service providers. Issues of communication between service providers as well as with patients/clients can for example be one of the areas of learning which can be identified from an SAI investigation.

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Mr Weir asked the Minister of Health, Social Services and Public Safety what services are available in North Down for people living with dementia.
(AQW 36530/11-15)

Mr Wells: The South Eastern Health and Social Care Trust are responsible for providing services to people living with dementia in North Down. The Trust provides day care in two locations, namely the Dementia suite at Bayview and Fold Millbrook Court day centre. Support for people living with dementia and their carers is provided in conjunction with the the Alzheimer's Society. In addition the Trust works closely with third sector providers, such as Bryson House, to provide an active respite service and fund institutional placements in residential and nursing homes to offer respite for carers.

The Trust reviews on an on-going basis the provision of services to individuals with dementia in light of demographic needs and changes.

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the number of registered childcare providers in North Down in each of the last three years.
(AQW 36531/11-15)

Mr Wells: At 16 September 2014, there were 311 childcare providers in North Down. This figure was taken from a live database of childcare providers which is updated on a regular basis and maintained by the Health and Social Care (HSC) Board. As it is a live database, it is not possible to use this database to provide figures for previous years.

The table below contains the number of childcare providers at 31 March in 2012 and 2013. These figures have been taken from the HSC Board's Delegated Statutory Functions Returns, which provide aggregated information on childrens social care activity including childcare. This information, available at HSC Trust level only, is published annually by the Department in 'Children's Social Care Statistics for Northern Ireland'. Figures have been provided for the South Eastern Health and Social Care Trust area as the North Down constituency falls within its boundaries.

Table 1: The Number of Childcare Providers in the South Eastern HSC Trust at 31 March (2012 – 2013)

Area	2012 No. Childcare Providers	2013 No. Childcare Providers
South Eastern HSC Trust	1,158	1,176

Source: Health and Social Care Board Delegated Statutory Functions Returns

Note: Childcare providers include childminders, crèches, day nurseries, after school clubs, playgroups, two year old programmes and summer schemes

Mrs Dobson asked the Minister of Health, Social Services and Public Safety whether he will direct further investment to enable increased access to early interventions, to redress the balance between mental health and other services.
(AQW 36548/11-15)

Mr Wells: Until the Executive agrees the budgetary position, I am unable to commit further investment in early mental health interventions.

However, in line with the Bamford recommendations, early intervention has been at the heart of mental health service development in the last number of years. A number of initiatives are being taken forward by the Health and Social Care Board to enable early and effective intervention for people with mental health care needs including:

- The development and implementation of a stepped care model across all mental health services, which promotes early intervention and the provision of appropriate mental health services in line with clinically assessed need;
- A programme for the establishment of Primary Care Talking Therapies Hubs across each Trust area, which will provide a range of psychological therapies and lifestyle support for people who are experiencing common mental health problems, and when fully developed will improve access to earlier support and care. The HSC Board has recently invested £1.7M to support the establishment of the Hubs;
- The HSC Board has also recently invested £1M to support the development of Primary Mental Health Care Teams within Child and Adolescent Mental Health Services (CAMHS) across the Region, which will provide a wide range of early support for children, young people and their parents.

Subject to the availability of additional resources, the HSCB has further proposals to strengthen early intervention services including extending the range and scope of services provision within the Primary Care Talking Therapies Hubs and are considering opportunities to develop dedicated early intervention teams for young people with psychosis.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety whether he will fund an advertising campaign to raise awareness of drugs abuse in Banbridge.
(AQW 36551/11-15)

Mr Wells: As set out in my response to AQW 36837/11-15, there are a range of awareness raising and education services funded in the Banbridge area. In addition, further to AQW 36550/11-15, an advertising campaign in a local area would need to be considered very carefully to ensure that people are not stigmatised and that instead of preventing substance misuse, that we do not normalise drug misuse in the area.

However, the Public Health Agency will shortly be tendering for a revised range of drug and alcohol services across Northern Ireland. It is anticipated the new services will be in operation from April 2015 and will include a new model for Tier 1 community support services in each Trust area which will:

- deliver a three year integrated multi-agency education and prevention plan set in communities, workplaces and educational settings to raise awareness of the impact of alcohol and drugs locally;
- provide evidence-based community mobilisation initiatives to raise awareness and concern about substance misuse related harm and support policy implementation and change; and
- work with the local media to raise awareness and increase acceptability of the interventions provided to address locally identified substance misuse related problems.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety what steps the Health and Social Care Board are taking to commission recently developed cancer drugs which are already available in other regions of the UK.
(AQW 36555/11-15)

Mr Wells: The Health and Social Care Board (HSCB) has responsibility for commissioning specialist drugs, including cancer drugs in Northern Ireland.

Every patient in Northern Ireland has the same access to approved cancer drugs as any other patient in the UK. Both the HSC in Northern Ireland and the NHS in England and Wales are guided by the National Institute for Health and Care Excellence (NICE) in making the difficult decisions about which of the many new drugs should be made routinely available to patients. All NICE approved cancer drugs that are available in England are either recurrently funded or available via a cost per case mechanism in Northern Ireland.

The Individual Funding Request (IFR) process governs access to unapproved specialist drugs in Northern Ireland. My officials are currently carrying out an evaluation of the IFR process. The evaluation, which is underway, will take full account of the measures that other devolved administrations are considering in their approach towards access to specialist drugs and will be completed by the end of the year.

Mr McElduff asked the Minister of Health, Social Services and Public Safety whether his Department has any strategy aimed at addressing inequalities in service provision for children who are on the Autistic spectrum in the Western Health and Social Care Trust area.
(AQW 36572/11-15)

Mr Wells: Under the Autism Act (NI) 2011 the Department is charged with the coordination of a cross-Departmental Strategy and Action Plan. The Autism Strategy (2013 – 2020) and Action Plan (2013 – 2016) set out the NI Executive's commitment to improving services and support for people with autism in Northern Ireland.

The Strategy and Action Plan are regional in scope and the provision of services and actions as contained within the Strategy are across all agencies and bodies with an expectation that there is consistency in delivery, including the HSC Trusts.

The Health and Social Care Board also reviews performance in relation to delegated statutory function relating to Children's Services and, where issues are identified, these are raised through the relevant performance monitoring meetings with the Trusts. This includes performance in relation to children with disability including Autism.

Mr McElduff asked the Minister of Health, Social Services and Public Safety whether he will commit to retaining and developing Acute Mental Health Services in Omagh.
(AQW 36574/11-15)

Mr Wells: The Health and Social Care Board (HSCB) undertook an analysis of demand for and access to acute mental health services in the South West earlier this year but their report was inconclusive. To assist in determining the location of the second acute mental health facility, the Western Trust has been asked to develop a full business case taking into account financial and value for money considerations together with the recent HSCB report.

Whilst I am committed to retaining and developing Acute Mental Health Services in the South West, no decision on the location of the unit will be taken until this business case has been completed.

After that, timing of the project will be subject to budgetary availability and this project will need to be considered alongside all other demands on the capital budget as we move to the next budgetary period commencing in 2015/16.

Ms Sugden asked the Minister of Health, Social Services and Public Safety for his assessment of the effectiveness of mentoring schemes, such as the role of mentors working with Voice Of Young People In Care, in tackling issues among young people in care such as educational disengagement; and whether he will promote and increase similar schemes.
(AQW 36615/11-15)

Mr Wells: The Health and Social Care Board has advised that it commissions an advocacy and mentoring service for looked after children from Voice of Young People in Care (VOYPIC) to support them in education, help them remain in education, or access an educational place. It also helps address social isolation, low self esteem and poor interpersonal skills.

Mentoring is one of a range of support services provided to looked after or care experienced young people. For example, there are a range of Trust initiatives already in place aimed at enhancing the educational outcomes of looked after children and young people. These include: the appointment of an independent visitor for children who do not have family contact or support; assistance from dedicated LAC Education Teams; input from LAC Therapeutic Services; and befriender support. Trusts may also have contracts in place for services to young people, which have a mentoring component.

For older children in care, there is a specific input from Employability Services which includes on site employment and work placement based mentors. Equally a range of training schemes and prevocational initiatives incorporate mentoring support as a means of assisting young people to engage in and sustain training programmes and assist their transition towards future career goals. Older adolescents from age 16 also have entitlement to a Personal Advisor, whose role is to provide advocacy, mentoring and support through to age 21 in line with their care/pathway plan.

Ms Sugden asked the Minister of Health, Social Services and Public Safety for an update on his Department's targets linked to placement moves for young people who are in care; and to detail how these are monitored to ensure that they are being met so that young people in care are provided with as stable a living environment as possible
(AQW 36616/11-15)

Mr Wells: Robust assessment of need, coupled with placement choice and stability are key to delivering improved outcomes for looked after children and young people. To underscore this, one of the key strategic priorities set out in the Department's Commissioning Plan Direction for 2014/15 is to 'ensure the most vulnerable in our society, including children and adults at risk of harm are looked after effectively across all our services'. To support this priority a target linked to placement stability has been set. The 14/15 target is to increase the number of children in care for 12 months or longer with no placement change to 85%, a higher target than set initially.

Table 1 below sets out the percentage of children in care for 12 months or longer at September with no placement change in each of the last 5 years by Trust.

	Children in care for 12 months or longer at 30 September with no placement change					
HSC Trust	**2008/09**	**2009/10**	**2010/11**	**2011/12**	**2012/13**	**2013/14**
Belfast Trust	79%	83%	84%	84%	78%	-
Northern Trust	78%	78%	78%	74%	76%	-
South Eastern Trust	82%	78%	81%	79%	78%	-
Southern Trust	59%	73%	66%	70%	75%	-
Western Trust	83%	83%	82%	85%	79%	-
Northern Ireland	77%	79%	79%	78%	77%	-
Target					82%	85%

The target is monitored by the Department's Community Information Branch using a child level information return completed by all Health and Social Care Trusts in Northern Ireland. The return which is completed annually provides a range of data on looked after children in care continuously for 12 months or longer including placement changes during the year. The

information collected from the return is published annually on the Department's website in the statistical bulletin 'Children in Care in Northern Ireland'. The 2013/14 statistical bulletin will be published in July 2015.

Mr Allister asked the Minister of Health, Social Services and Public Safety whether the Diabetes Education and Self Management for Ongoing and Newly Diagnosed (DESMOND) Structured Education Programme has been rolled out in Northern Health and Social Care Trust; and if not, to outline the reasons for this; and whether funding has been provided for it; and if so, how much.
(AQW 36619/11-15)

Mr Wells: Within the Northern Health and Social Care Trust, some Practice Nurses and Diabetic Specialist Nurses provide education for patients with Type 2 diabetes. The Diabetic Specialist Nursing resource is limited and therefore patient education is based on clinical need.

In order to provide a wider self management approach in line with Transforming Your Care, Trust staff have worked in partnership with the Northern Diabetes Integrated Care Partnership Multi-disciplinary Team to develop a revenue business case that would support the establishment of a sustainable internationally recognised model of structured education programme for patients with Type 2 diabetes - Diabetes Education and Self Management for Ongoing and Newly Diagnosed (DESMOND).

A decision regarding the delivery of a patient education programme for people with Type 2 diabetes within the Northern HSC Trust area has not yet been determined as discussion is ongoing about the potential to adopt a regional uniform approach to procuring structured patient education programmes for people with Type 2 diabetes across Northern Ireland. The establishment of such a programme would be a new service to the Northern Health and Social Care Trust and as such would require new funding to commence. A business case for funding has been submitted by the Integrated Care Partnership Multi-disciplinary Team, however, given the current financial constraints facing the health and social care budget no funding has yet been identified.

Mr Allister asked the Minister of Health, Social Services and Public Safety whether his Department has reached a view on providing for a statutory duty of candour, as raised in the Francis Report; and if not, what timescale applies for a decision.
(AQW 36621/11-15)

Mr Wells: It is important to note that the need for candour is already a professional requirement of many individual staff working in the HSC.

A statutory duty of candour, which was one element of the Francis Report, is under consideration by my Department. In considering the right approach for Northern Ireland, I expect that the work which was commissioned from Professor Sir Liam Donaldson to be relevant. That work due to report by the end of December and the publication of the report of the Independent Inquiry into Hyponatraemia-Related Deaths, may also have a bearing on this issue. Both these reports will produce a picture more specific to Northern Ireland and I await their findings before this issue is progressed more formally.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, following his public comments at a breakfast in support of the Children's Heartbeat Trust in Banbridge on 27 September 2014, whether he has begun a further period of public consultation into the future of children's congenital cardiac surgery.
(AQW 36623/11-15)

Mr Wells: I attended a fundraising coffee morning organised by the Children's Heartbeat Trust in Banbridge on 27 September 2014. At this event I paid tribute to the Trust for its work on behalf of children with congenital heart disease.

I am not yet in a position to publicly release the report or to indicate what my decision is likely to be on its recommendations. However, any decision about my Department's policy on the future of this service would, of course, be subject to public consultation in due course. My Department is discussing the arrangements for the publication of the report with the Department of Health in the Republic of Ireland. I would expect to be able to announce the IWG's full recommendations together with the Minister for Health in the ROI and Dr Mayer within the next month.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many laboratory technicians are currently employed by the South Eastern Health and Social Care Trust.
(AQW 36624/11-15)

Mr Wells: The South Eastern Trust advise that it has 81 staff (73.0 whole-time equivalent) employed within Laboratory Services at the Ulster Hospital.

This figure has been provided by the Trust, and has not been validated by the Department.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the (i) type; and (ii) number of vehicles currently operated by the South Eastern Health and Social Care Trust.
(AQW 36625/11-15)

Mr Wells: At 1 October 2014, the South Eastern Health and Social Care Trust operated a fleet of 158 vehicles. The type of vehicle and number of each type of vehicle is set out in table one below.

Table 1: Type of vehicle and number of vehicles operated by the South Eastern HSC Trust at 1 October 2014

(i) Type of vehicle	(ii) Number of vehicles
Bus 17 to 33 seats	41
Minibus 11 to 16 seats	6
People carrier 6 to 9 seats	30
Car up to 5 seats	14
Commercially orientated Vans	59
Commercially orientated lorry's	4
Agricultural Tractors	3
Dentistry mobile	1

Source: South Eastern Health and Social Care Trust

Mr Easton asked the Minister of Health, Social Services and Public Safety to outline the next phase of the capital building works on behalf of the Southern Eastern Health and Social Care Trust at the Ulster Hospital.
(AQW 36626/11-15)

Mr Wells: The next phase of the Ulster Hospital Phase B Redevelopment will see construction progress from the current inpatient ward block to the new acute services block. This latest redevelopment programme commenced in June 2013 with construction of a new ward block which is due to be completed in late 2016.

Enabling works for the new Acute Services Block have already commenced and construction of the main building is due to start in Autumn 2015. The Acute Services Block will provide a new emergency department, inpatient radiology, assessment unit, specialist wards and support services.

The Trust has also plans for its inpatient mental health unit to be located on the Tor Bank site at the Ulster Hospital and is working with the Department to finalise a business case for this proposal.

There is no timeframe or plans agreed for the next phase of redevelopment, or for any further significant upgrade or replacement work at the Ulster Hospital site, beyond the completion of the ongoing work on the generic ward and acute services blocks.

Mr McCarthy asked the Minister of Health, Social Services and Public Safety whether his Department has made an assessment of the impact on isolated communities, particularly older people and people in ill health, in the Ards Peninsula from the proposed abolition of funding from the South Eastern Health and Social Care Trust for independent advice services due to take effect tin March 2014.
(AQW 36635/11-15)

Mr Wells: The South Eastern Health and Social Care Trust (SEHSCT) have advised that, following a review of all community service contracts, it was considered that the funding of independent advice services was no longer sustainable. Instead, their assessment was that it had become essential to direct the funding to specific health and social care services. Funding was reduced in 2014/15 and contracts will cease in March 2015.

As part of managing this change, SEHSCT is currently working in partnership with the Public Health Agency (PHA) and Local Commissioning Group to develop a model for tackling social isolation in older people across the North Down and Ards area. A number of other schemes are currently being progressed in the Ards area, including: a Shared Community Survey in the Glen Area, which included older people living in the area; and Peninsula Healthy Living which is managed by SEHSCT and supported by the Public Health Agency. As a result of a baseline scoping exercise, and needs assessments across the SEHSCT area, an Older People's Directory of Services has been produced and circulated.

Finally, I can advise that needs assessments are carried out on a regular basis and will influence the shaping of all services in the area.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) when the business case for a new fire station in Cushendall will be complete; and (ii) when the project will go to tender.
(AQW 36638/11-15)

Mr Wells: NIFRS is currently working on a Business Case to replace the fire station in Cushendall that will allow the project to be considered for progression once capital funding has been identified. As funding has not yet been identified it is not possible to say when the business case will be completed.

The project will not go to tender until the business case has been approved.

Dr McDonnell asked the Minister of Health, Social Services and Public Safety to detail the total number of mobilisations of the Northern Ireland Fire and Rescue Service in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; and (iv) 2013/14.
(AQW 36667/11-15)

Mr Wells: The table below details the total number of mobilisations of NIFRS in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; and (iv) 2013/14.

Year	No of Mobilisations
2010/11	30,784
2011/12	27,149
2012/13	24,308
2013/14	24,049

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the biologic treatments for people with severe rheumatoid arthritis; and to detail how he plans to improve the access to treatment.
(AQW 36693/11-15)

Mr Wells: Biologics therapies are used for the treatment of patients with a number of conditions including psoriasis, rheumatoid arthritis and inflammatory bowel disease (IBD). A range of approved therapies are available for patients depending on their condition. These treatments are provided by all five Trusts in Northern Ireland.

The total investment in biologic therapies (drugs and infrastructure) regionally across the different conditions is in excess of £45m. For rheumatoid arthritis the recurrent investment is around £34m per year.

For patients with rheumatoid arthritis there is a 3 month maximum waiting time to commence treatment from the date that the patient is deemed eligible by a clinician. Latest validated figures indicate that at the end of July 2014, there were no rheumatoid arthritis patients waiting longer than 3 months to commence treatment.

There are no plans to revise the current waiting time standard for these conditions.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Board assists GP practices to seek additional improvement grant funding via applications to EU funding.
(AQW 36694/11-15)

Mr Wells: Under the terms of their GMS Contract GP practices must provide premises which are appropriate to the delivery of the services that they provide to their patients.

Assistance with funding of premises improvements and developments, such as improvements grants can be provided by the HSCB under the GMS Premises Costs Directions, subject to the availability of funding.

Funding for improvement grants will generally be up to a maximum of 66% of the cost of the premises works. GPs can choose to source all funding, or the percentage of costs not reimbursed by the HSCB, from a private provider, or to apply where appropriate for alterative public sector grants/EU funding.

The HSCB does not actively seek out the various sources of EU or other funding on behalf of the contractors but will work with them on progressing their premises development proposal that they bring forward. The HSCB is required to ensure that there is no duplication of grant funding provided by the HSCB with any other grants secured from an alternative source.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the number of people with significant lower limb impairment.
(AQW 36696/11-15)

Mr Wells: The requested information is not currently available.

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many stroke survivors have full cognitive function but cannot access regular exercise using suitable equipment in close proximity to their home.
(AQW 36698/11-15)

Mr Wells: The information is not available in the format requested and could only be provided at disproportionate cost. However, the Disability Discrimination Act 1995 (further extended by the Disability Discrimination (NI) Order 2006) states there is a duty to “make reasonable adjustments to anyone providing goods, facilities or services to the public....including leisure centres.”

Mr McKinney asked the Minister of Health, Social Services and Public Safety for his assessment of the provision of physiotherapists for people with a leaning disability.
(AQW 36701/11-15)

Mr Wells: People with a learning disability in Northern Ireland can access physiotherapy services in a full range of settings, including their own home and schools.

The learning disability Physiotherapists within Trusts provide assessment and treatment to any individual with a learning disability. They enable the client to be as independent as possible by improving mobility, movement, function, and where necessary advising on appropriate equipment.

Physiotherapists can also work within a multidisciplinary team to support an individual's management within the home environment. This includes advising family and carers on moving and handling and the use of specialist equipment. This may include, for example, working closely with the occupational therapist in relation to wheelchair provision, specialist equipment and provision of adaptations within the home.

The Physiotherapy Service also has access to Hydrotherapy pools located in several special schools across Northern Ireland. This provides a valuable service to children with learning disabilities.

Mr Frew asked the Minister of Health, Social Services and Public Safety for an update on what improvements to services available for people with autism have been made in the last twelve months.
(AQW 36703/11-15)

Mr Wells: The Autism Strategy (2013 – 2020) and Action Plan (2013 – 2016) were launched in January 2014 and include sixteen Strategic Priorities for cross-departmental implementation. This strategy forms the foundation for future improvement of services. A Regional ASD Co-ordinator, based in the HSC Board, took up post in September 2014 and will be driving forward the implementation of the strategy in co-operation with other agencies and with input from service users, carers and families and the voluntary sector.

In the last twelve months the HSC Board has carried out a review of ASD Services and an audit of the Care pathways; and progress is being made on the implementation of children and adult care pathways across all Trusts. This review will lead to further service improvements across all Trusts. All Health and Social Care Trusts have developed initiatives to improve ASD Children and Adult Services and these are summarised in the table below.

Summary of Improvements to HSC Autism Services

Regional initiatives

- A Regional Interdepartmental Group was established to drive the strategic priorities identified in the ASD strategy (2013-2020). This has involved the appointment of a Regional ASD Co-ordinator, who took up post in September 2014.
- Re-established regional Trust Co-ordinator meetings, which will facilitate regional and equitable improvement. Each Trust co-ordinator is a key member of the local cross-agency ASD forums and patient and service user reference groups. This provides an opportunity to capture patient, family and carer experience and involve service users in the development of services.
- A "minimum data set" has been established and Trusts are providing information which helps to understand the service and demands. This in turn will support further development of services.
- Additional training has been funded which is aimed at enhancing the skills of staff and therefore improving experience of care.
- Subject to available resources, it is aimed to undertake an audit of the experience of children, young people, parents and adults who engage with ASD services.

Children's Services

- The Northern Trust Spectrum Star Initiative – this is an outcomes based tool to maximise life opportunities and independence for people on the autistic spectrum. This is currently being used with children at transition stage and within the adult intervention service.
- The Southern Trust has developed a life skills group for those going to university/college.
- The South Eastern Trust is piloting support for a programme for personal relationship development with a National Autistic Society (NAS) Counsellor for young people aged 16 years and over.

Adult Services

- An Autism Advice service has been successfully piloted in the Northern Trust. Commencing in January 2014 this cross-agency "One-Stop Shop" provides person centred support to adults with autism and their families. The Belfast Trust has also developed this service and it is expected to commence in the near future.
- In the Southern Trust the Appointment of Experts by Experience programme is aimed at providing peer support.
- Also, in the Southern Trust support is provided to a group of young adults with autism, who meet weekly. Several specific training needs have been identified and programmes are being developed. These include "Re-mind" (mental health) DVD and work book for adults with autism; Sexual awareness training for males; "Cook it" programmes for adults with autism.

- The Southern Trust is developing a new website and is involving adults with autism in its design.
- The South Eastern Trust has developed a "Mood Matters" programme for carers, with a focus on mental health issues.
- Within the Western Trust local information leaflets are being developed and services are enhancing interfaces to deliver support.
- Within several Trusts there are plans to address housing issues for adults with autism, with proposals for specialist autism units and supported accommodation being explored.

Mr Frew asked the Minister of Health, Social Services and Public Safety to outline what improvements have been made under the Dementia Strategy in terms of Early Assessment and Diagnosis for Alzheimers.
(AQW 36706/11-15)

Mr Wells: A key objective for the regional Dementia Strategy Implementation Group is to raise diagnosis rates across NI to 75% and above. The most recently available figures show that NI has a diagnosis rate of 63.2% which is well above the UK average (46%). The rate for Belfast is 75.1%, which is the highest in the UK.

Recurrent investment over the past 2 years has led to the enhancement of memory services and the development of services where none existed previously. Criteria and protocols have been developed for referrals into memory services and work is on-going to achieve timely assessment and diagnosis.

This investment has also helped to increase the level of psychological support to individuals and carers. Trusts have been able to appoint Dementia Navigators and provide better support and information to people with dementia and their carers, through the increased involvement of Alzheimer's Society staff within memory services.

Mr Weir asked the Minister of Health, Social Services and Public Safety what strategies are being pursued to reduce the amount of compensation claims in the Health Service.
(AQW 36709/11-15)

Mr Wells: The Department is committed to providing high quality, safe and effective health and social care services to all patients and clients in Northern Ireland. A wide range of strategies are in place to ensure that services are delivered in a safe and effective manner.

The Department is currently developing a review of clinical negligence settlement management processes within the HSC, to ensure the current settlement strategy is suitable for the contemporary HSC environment.

Mr Ross asked the Minister of Health, Social Services and Public Safety what percentage of the prison population are receiving medication for mental health conditions.
(AQW 36725/11-15)

Mr Wells: Mental health services within the Northern Ireland prison healthcare service are delivered by the South Eastern Health and Social Care Trust.

Prison healthcare records medical information for patients at each prison establishment, including current prescribed medical information, by using the Egton Medical Information System (EMIS). It was necessary to conduct a search of the EMIS to determine the percentage of the prison population receiving medication for mental health conditions, using the following criteria:-

- currently registered; and
- currently prescribed either an antidepressant medication, or a medication used in treating psychoses and related disorders.

The search yielded the following results:-

HMP Maghaberry	54 % of the prison population at that establishment.
HMP Magilligan	42% of the prison population at that establishment.
HMP/YOC Hydebank Wood	43% of the prison population at that establishment.

The above percentage figures are the most up to date, as at 1st October 2014 and provide an accurate estimate for those patients taking medications for mental health conditions.

There are limitations with EMIS in extracting information for specific conditions so to provide exact percentage figures would require an examination of individual patient records. That exercise would incur disproportionate cost to answer this AQW.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the current number of people registered on the Independent Living Fund programme.
(AQW 36784/11-15)

Mr Wells: At 30 September 2014 there were 637 people in Northern Ireland in receipt of support from the Independent Living Fund.

Mr McKinney asked the Minister of Health, Social Services and Public Safety, given that the Independent Living Fund will close on 30 June 2015, what will replace the programme.
(AQW 36785/11-15)

Mr Wells: I refer the member to the answer given by my predecessor, Edwin Poots MLA, in AQW 35542/11-15.

Mr McKinney asked the Minister of Health, Social Services and Public Safety whether there is any process in place to ensure that current recipients of the Independent Living Fund continue to receive assistance when funding for the programme ceases on 30 June 2015.
(AQW 36786/11-15)

Mr Wells: I refer the member to the answer given by my predecessor, Edwin Poots MLA, in AQW 35542/11-15.

Ms Lo asked the Minister of Health, Social Services and Public Safety to detail (i) the current waiting time for referral to the Substitute Prescribing Team; and (ii) whether this team is resourced sufficiently to meet demand.
(AQW 36789/11-15)

Mr Wells:

(i) The average waiting time for a first time appointment with the substitute prescribing team in the Belfast Health and Social Care Trust area is currently 6-7 weeks, this is within the regional target of 13 weeks.

(ii) Over £1million per year is invested through the Health and Social Care Board in local HSC Trusts to operate relevant substitute prescribing services in each HSC Trust area. This funding covers staff and relevant drug costs and currently meets the demand of clients who wish/need to avail of substitute prescribing.

The number of GPs willing to work with this client group; limits the ability to move patients out of secondary care and into a shared care arrangement. The Belfast Health and Social Care Trust is considering, in conjunction with the Health and Social Care Board, ways of trying to initiate more GPs to take part in the scheme and undertake the required training.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail the number of children under the age of three (i) with tooth decay; (ii) with a filling; (iii) who have never visited a dentist; and to detail the number of children under the age of (a) three; and (b) ten who have had a tooth extracted due to tooth decay; and what initiatives or campaigns are in place to improve the standard of dental care amongst children.
(AQW 36801/11-15)

Mr Wells: The requested information on the number of children with tooth decay or with a filling is not readily available. However, data on the total number of fillings and extractions carried out under General Dental Services in the age groups Under 3 and Under 10 years old is available in Table1:

Table 1: Total number1 of fillings and extractions carried out in 2013/14

Treatments during 2013/14	Fillings[2]	Extractions
Under 3 years	38	14
Under 10 years	10,986	7,982

Notes:

1 Data excludes private treatments.

2 Excludes fissure sealants which are preventative treatments.

Information on those who have never attended a dentist is not available. Provided in Table 2 below is the total number of patients aged Under 3 and Under 10 registered in Primary Care, and those who are registered with a dentist. A patient is registered with a General Dental Practitioner if they have attended that practitioner within the previous 24 months.

Table 2: Under 3 years and Under 10 years old registrations for Primary Care and Dental Care

Age Group	All Dental Registered Patients[1]	All Patients registered for Primary Care[2]	% Dental Registrations
Under 3	20,673	72,162	28.6%
Under 10	178,551	268,978	66.4%

1 All patients in Northern Ireland registered with a General Dental Practitioner at April 2014.

2 All patients in Northern Ireland registered for Primary Care at April 2014.

Initiatives and Campaigns

My Department has been very proactive in introducing evidence-based programmes to improve the oral health of the population of Northern Ireland. To realise maximum effect these are mainly directed at children but other schemes are also targeted at adults from deprived areas and elderly patients in residential and nursing homes.

The following measures relate to children:

- Fluoride toothpaste schemes for young children in the most deprived areas.
- Preventive fissure sealant scheme delivered through the General Dental Services for young people.
- Enhanced capitation payments for dentists providing care to children from certain deprived areas.
- Focussing the work of the Community Dental Service (CDS) across the whole of Northern Ireland to improving the oral health of those with special care needs, which includes children from socially disadvantaged areas. They also deliver evidence-based oral health improvement programmes.

Since the implementation of these schemes, beginning in 2004, we have noticed a significant improvement in the oral health of our child population. There have been considerable reductions in the numbers of extractions under general anaesthetic, and the number of fillings carried out in children over this period. These evidence-based programmes continue with the aim of further improving the oral health of our population.

Across Northern Ireland the Public Health Agency also runs a number of healthy eating initiatives to improve both the general and dental health of children.

My Department has also supported a large research trial investigating the effectiveness and cost-effectiveness of fluoride varnish and fluoride toothpaste in dental practices to prevent decay in young children. The trial is now in its final stages and the preliminary results are expected in autumn 2015.

Children's Dental Health Survey

Northern Ireland is participating in the 2013/14 UK Children's Dental Health Survey. This will be the fifth survey in a series carried out every ten years since 1973 (Northern Ireland has participated since 1983).

The survey involves children aged 5, 8, 12 and 15, and will cover topics such as dental hygiene, attitudes to oral health, and a dental examination will provide information on the condition of the children's teeth.

Findings from the survey will allow for comparisons in dental health and treatment over time and will help inform future dental health policy.

The fieldwork for the survey is now complete, with results due to be published early in 2015.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail (i) whether he supports charging for car parking within hospital grounds; and (ii) what action he intends to take to remove, restrict or reduce car parking charges.
(AQW 36802/11-15)

Mr Wells: My Department's policy on car parking provision and management in the Health and Social Care (HSC) sector for Northern Ireland sets the direction for car parking management including charging and makes clear that decisions relating to specific HSC site car parking, including hospitals, rest with each Health and Social Care Trust.

The implementation of car parking arrangements continues to involve difficult choices and decisions. It is important that solutions adopted at each site must fit the particular needs and circumstances of each individual location.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the funding provided by his Department to raise awareness of drug abuse in the last three years.
(AQW 36831/11-15)

Mr Wells: Through my Department's New Strategic Direction for Alcohol and Drugs Phase 2, approximately £8 million per year is invested – primarily through the Public Health Agency (PHA) - in a range of alcohol and drug related services. These services cover education, information, diversionary activities and awareness raising, early interventions, harm reduction, workforce development, and treatment and support.

In respect of awareness raising, the following service areas have been included: education programmes; community support and capacity building programmes; and workforce development programmes. Due to the way in which services have been procured, funding for these services has been stable over the last three years. Funding is as follows:

	2012/13	**2013/14**	**2014/15**
Total	£1,527,598	£1,527,598	£1,567,590

It is important to note that the funding outlined above does not represent the total investment in these areas as some of this work is also provided by the statutory sector. In addition, other services such as treatment and support also include an element of drug awareness but this cannot be dissagregated and has not been included. Funding is also awarded to address both alcohol and drug misuse and as such it is not possible to give a specific breakdown concerning solely drug misuse.

In addition, the Department and the PHA also operate initiatives such as the Drug and Alcohol Monitoring and Information System (DAMIS) which cannot be costed separately but which disseminates information on emerging trends and drugs of concern to local drug and alcohol co-ordination teams, relevant services, and the general public.

It should also be noted that further funding is also invested in this issue by other Departments – e.g. alcohol and drug misuse is a key part of the school curriculum as supported by the Department of Education, and through Policing and Community Safety Partnerships the Department of Justice also invest in services and programmes that raise awareness of substance misuse.

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety to detail the number of deaths by suicide recorded in Upper Bann in the last nine months; and of these, how many people were known to Mental Health Services.
(AQW 36836/11-15)

Mr Wells: The table below details the number of deaths registered due to suicide in the Upper Bann Assembly Constituency. The latest available figures are for Quarter 2, 2014, therefore figures presented relate to the nine month period ending June 2014.

Year and Quarter of Registration	Upper Bann
2013, Quarter 4	3
2014, Quarter 1	5
2014, Quarter 2	5

Source: Demography & Methodology Branch, DFP.

Currently it is not possible to determine the number of these people that were known to Mental Health Services.

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety how many high risk patients have been discharged from the Secure Forensic Unit at Knockbracken Health Park into the community in the last six months; and whether he is content that adequate supervision and support can be provided after discharge.
(AQW 36837/11-15)

Mr Wells: The Belfast Trust has advised that from the 1 January 2014 to 30 June 14, 7 people were discharged from the Medium Secure Unit at Knockbracken (Shannon Clinic).

All patients from the Shannon Clinic are discharged under the regional guidance on risk assessment and management in mental health services, “Promoting Quality Care”. Patients are followed up by Community Forensic Teams, who work closely with the Criminal Justice System, including, Prison, Police, Courts, PBNI, housing and Social Services across Northern Ireland.

Mr Allister asked the Minister of Health, Social Services and Public Safety to detail the current (i) number; and (ii) annual cost of staff employed in his Department’s Information Service.
(AQW 36868/11-15)

Mr Wells: There is currently (i) six press officers and three administrative staff employed in my Department’s Information Office. It holds responsibility for media liaison, provision of communications advice to the Minister and Department, departmental publications, advertising planning for HSC and ALBs and website services, including NI Direct liaison (ii) the budget allocation for 2014/15 financial year for these staff is £390,203.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety who will fund the proposed introduction of the Bexsero Meningococcal Group B vaccine once the outcome of the negotiations have been completed.
(AQW 36886/11-15)

Mr Wells: Should the negotiations in relation to the Men B vaccine be successful and a vaccination programme be introduced, funding would be provided from within the health budget.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety how the views of patients will be represented on the working group examining the value of vaccines, as recommended by the Joint Committee on Vaccination and Immunisation in February 2014; and when the group is expected to report its findings.
(AQW 36888/11-15)

Mr Wells: JCVI has indicated that the working group should try to take into account public views on the methodologies available when assessing cost-effectiveness of vaccines. It will be for the working group to decide how this can be accommodated.

It is hoped that the group will produce its final report early in 2015.

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety whether advice on mental health will be included in the "Choose Well" public information campaign.
(AQW 36894/11-15)

Mr Wells: The "Choose Well" public information campaign will include advice on mental health and the range of mental health services available. Year two of the Campaign will be launched by the Health and Social Care Board in December 2014.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety why his Department's capital reduced requirements for 2014-15 have totalled £15.3 million.
(AQW 36952/11-15)

Mr Wells: Under the Executives budgeting rules, ring-fenced Executive funding must be returned to DFP if the money is not spent in 2014-15. Expenditure monitoring as part of the June monitoring exercise, identified five ring-fenced projects that were not going to progress at the timescale initially estimated. This re-profiling meant that a reduced requirement of £15.25m had to be returned to DFP.

Ms Lo asked the Minister of Health, Social Services and Public Safety when he plans to publish his Department's termination of pregnancy guidance.
(AQW 36957/11-15)

Mr Wells: Once I have given the issue my due consideration, I will bring a revised draft of the guidance to the Northern Ireland Executive. I intend to resolve this matter promptly.

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety to provide a breakdown of the funding allocated to the Lesbian, Gay, Bisexual and Transgender Community in the last three years.
(AQW 36958/11-15)

Mr Wells: Grant funding has been provided to two organisations in the last three years as follows:

Name of Organisation	2011/2012	2012/2013	2013/2014
The Rainbow Project	£32,443	£32,443	£32,443
Cara-friend	£31,705	£31,705	£31,705

Mr Campbell asked the Minister of Health, Social Services and Public Safety when he expects the Chief Executive and Chief Fire Officer posts within the Northern Ireland Fire and Rescue Service to cease being interim posts.
(AQW 36996/11-15)

Mr Wells: The interim arrangements surrounding the NIFRS Chief Executive and Chief Fire Officer roles are scheduled to end on 31 March 2016.

Department of Justice

Ms Sugden asked the Minister of Justice what cross-departmental initiatives aimed at young people have been considered or implemented to reduce criminal activity related to significant levels of deprivation.
(AQW 36229/11-15)

Mr Ford (The Minister of Justice): My Department is actively engaged in cross departmental working in delivering on the justice agenda to build a fair, just and safer society. This is also a central theme of my Department's Strategic Framework for Reducing Offending which recognises that offending behaviour can be linked to a number of wider factors, including poverty and deprivation. The Framework undertakes to explore ways to encourage and support joined up working between Neighbourhood Renewal Partnerships and Policing and Community Safety Partnerships (PCSPs).

Funding is provided by my Department to PCSPs across Northern Ireland to address local community safety and policing priorities which are identified in consultation with local communities. The partnerships address measures to tackle, for example, anti-social behaviour, crime and the fear of crime. A number of indices, including crime rates, population and deprivation are used to calculate the level of funding each PCSP receives.

My Department also contributes towards the Early Intervention Transformation Programme, which is a cross-departmental fund set up to target interventions at children most in need, including those living in areas of social deprivation, with the overall aim of improving their life outcomes, including the prevention of offending.

Ms Sugden asked the Minister of Justice what communication his Department has with the UK Government to ensure that there is appropriate access to information regarding individuals who have settled in Northern Ireland and possess a criminal record in their country of origin.
(AQW 36495/11-15)

Mr Ford: The UK relies on established processes, underpinned by European Union legislation, which address the exchange of criminal record information with EU Member States. The two applicable European Council Framework Decisions are 2009/315/JHA and 2009/316/JHA.

For non-EU countries, the UK relies on bi-lateral arrangements between countries.

This exchange of criminal record information is facilitated through the UK Central Authority (UKCA), situated in ACRO (Association of Chief Police Officers Criminal Records Office).

DOJ and PSNI officials are members of the UKCA Governance Board.

Mr Agnew asked the Minister of Justice whether the proposals contained within the Legal Aid and Coroners' Courts bill require individuals to pay their own legal fees until any application for criminal Legal Aid has been assessed and granted.
(AQW 36500/11-15)

Mr Ford: Criminal legal aid is granted by the judiciary. The way in which criminal legal aid is granted remains unaffected by the Legal Aid and Coroners' Courts Bill. Individuals eligible for criminal legal aid will continue to receive legal aid for their defence.

Mr Weir asked the Minister of Justice what proportion of legal aid expenditure is allocated to (i) civil; and (ii) criminal cases; and what impact the proposed reform of legal aid will have on this balance.
(AQW 36533/11-15)

Mr Ford: The table below sets out the legal aid cash expenditure over a three year period to 2013/14.

On average, over this three year period, 52% of expenditure has been spent on civil business and 48% on criminal business.

£m	**2011/12**	**2012/13**	**2013/14***	**Average**
Civil	53.4	48.4	54.7	52.2
Criminal	48.3	47.4	50.3	48.7
Total	**101.7**	**95.8**	**105.0**	**100.8**
Civil	53%	51%	52%	52%
Criminal	47%	49%	48%	48%
Total	**100%**	**100%**	**100%**	**100%**

***Note** the figures published for financial year 2013/14 are currently unaudited.

I am currently taking forward a range of reforms affecting both civil and criminal legal aid which will impact on the levels of expenditure. Both criminal and civil legal aid are demand led and until the reforms are implemented, it is not possible to predict the precise impact on the proportion of expenditure.

Mr Givan asked the Minister of Justice whether the £5.5 million business plan for the Police museum included a section to publicly mark the service and dedication of the Part Time Reserve.
(AQW 36540/11-15)

Mr Ford: The overall aim of the Police Museum project, as set out in the Outline Business Case agreed in July 2012, is to promote a better understanding of the history of policing in Ireland. It did not include specific reference to the Part Time Reserve. I subsequently allocated an additional £383,000 to the project

to publicly mark the service and dedication of the Part Time Reserve and provide a lasting and enduring tribute to their role in policing in Northern Ireland.

Mr Givan asked the Minister of Justice what consideration was given to the allocation of £383,000 from HM Treasury towards the RUC GC Foundation.
(AQW 36541/11-15)

Mr Ford: This money, £383,000, relates to the unallocated amount from the Police Part-Time Reserve Gratuity Scheme and will be made available to the Police Museum to publicly mark the service and dedication of the Part-Time Reserve. The RUC GC Foundation will have an important role in the ongoing work of the Museum.

Officials from my Department considered a number of options for the disbursement of this money. They met with a number of policing bodies to canvas views and opinions on how best to distribute this money.

Mr Campbell asked the Minister of Justice to detail the number of compensation claims paid to prisoners, in each of the last three years.
(AQW 36566/11-15)

Mr Ford: The number of compensation claims paid to prisoners, in each of the last three years is listed below.

Financial Year	No of prisoner claims
12/13	15
13/14	37
01/04/14 – 30/09/14	27
Total	**79**

Mr Spratt asked the Minister of Justice what discussions he has had with the Chief Constable on the number of PSNI officers on sick leave.
(AQW 36571/11-15)

Mr Ford: The issue of sick leave for officers in the Police Service of Northern Ireland is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board.

As Justice Minister I do, of course, have regular discussions with the Chief Constable about a wide range of policy-related issues. The Chief Constable has reflected his concerns regarding the increased level of police officer sick absence during such discussions.

Mr Hazzard asked the Minister of Justice, pursuant to AQW 35791/11-15, (i) to outline the timeline for the completion and implementation of his Department's Estate Strategy; (ii) whether an Equality Impact Assessment was completed on the future of Downpatrick Courthouse; and (iii) how he will ensure the local economy is not negatively effected by the out workings of such a strategy.
(AQW 36576/11-15)

Mr Ford: (i)The DOJ Estate Strategy is being taken forward as two projects.

A DOJ Headquarters Accommodation Project is considering the headquarters accommodation needs of the core Department, its agencies and arm's length bodies, focusing on opportunities to co-locate and/or share accommodation. An outline business case for this project, considering options and identifying a preferred option, is due to be completed by the end of 2014 and then submitted to the Department of Finance and Personnel for approval. Subject to the approval process and, for example the availability of funding, a timetable to deliver the preferred option will then be delivered.

A DOJ Service Delivery Accommodation Project is considering the current regional network of DOJ owned and leased accommodation to identify how the Estate Strategy's objectives can best be met in future. It is planned that a service delivery accommodation needs analysis will be completed by the end of 2014. This will then be developed into a strategy and subject to consultation as early as possible in 2015.

(ii) No Equality Impact Assessment has been completed on the future of Downpatrick Courthouse. As noted above, the DOJ Estate Strategy is still being developed and a service delivery accommodation strategy suitable for consultation will be part of that development process.

(iii) As part of the process of developing the DOJ Estate Strategy, business cases, subject to Department of Finance and Personnel approval, will be developed. These, together with the consultation process, will consider wider impacts. The Department is also developing its Strategy in partnership with the Strategic Investment Board to ensure that the Strategy is in line with the Executive's wider Asset Management Plan.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36337/11-15, to detail the (i) annual cost; and (ii) total cost to date for the Northern Ireland Prison Service to buy into the Scottish Prison Service drug testing contract.
(AQW 36643/11-15)

Mr Ford: There has been no cost to NIPS for access to the drug testing contract administered by the Scottish Prison Service. Payment is made on the basis of the number of tests undertaken.

Lord Morrow asked the Minister of Justice how many prisoners in each prison have been supplied with computers, which they are permitted to retain in their cells, by Northern Ireland Prison Service Education, in each of the last three calender years.
(AQW 36645/11-15)

Mr Ford: The Northern Ireland Prison Service has 31 PCs which are available for in cell use. They are technically restricted to only provide Word and Excel applications and are available to inmates that have been identified by Learning and Skills as needing an in cell PC to complete an Open University course.

Mr Agnew asked the Minister of Justice what account has been taken regarding the security situation in Northern Ireland when devising and implementing electronic tagging policies.
(AQW 36654/11-15)

Mr Ford: The policies and procedures relating to electronic monitoring are continually kept under review in light of operational experience in consultation both with the commissioning agencies and the service provider.

Threats made against G4S staff have been rightly condemned but it would not be appropriate to make further comment at this stage whilst they remain the subject of a live criminal investigation by PSNI. DOJ, PSNI and G4S management have liaised closely on this matter with the safety of staff their primary consideration. This has resulted in the coordination of a range of actions, including the deployment of staff briefing, training and welfare services together with practical logistical measures aimed at supporting staff and the continued effective delivery of electronic monitoring services.

Mr Agnew asked the Minister of Justice what assessment has been made of the threat to G4S staff; and what measures have been put in place to better protect workers, particularly those involved in electronic tagging.
(AQW 36655/11-15)

Mr Ford: The policies and procedures relating to electronic monitoring are continually kept under review in light of operational experience in consultation both with the commissioning agencies and the service provider.

Threats made against G4S staff have been rightly condemned but it would not be appropriate to make further comment at this stage whilst they remain the subject of a live criminal investigation by PSNI. DOJ, PSNI and G4S management have liaised closely on this matter with the safety of staff their primary consideration. This has resulted in the coordination of a range of actions, including the deployment of staff briefing, training and welfare services together with practical logistical measures aimed at supporting staff and the continued effective delivery of electronic monitoring services.

Mr Hussey asked the Minister of Justice, pursuant to AQW 36041/11-15, on what date the Deputy Chief Constable recruitment process was completed.
(AQW 36662/11-15)

Mr Ford: On 15 September 2014, I approved the recommendation of the Northern Ireland Policing Board for the appointment of the Deputy Chief Constable. The Board announced the appointment on 16 September 2014.

Mr Hussey asked the Minister of Justice, pursuant to AQW 36041/11-15, why his announcement of the appointment of the Deputy Chief Constable on was not made on 15 September 2014 on the completion of the process and the submission of recommendation by the Northern Ireland Policing Board.
(AQW 36663/11-15)

Mr Ford: I met with the Chair and Chief Executive of the Northern Ireland Policing Board and approved the Board's recommendation on 15 September 2014.

It was agreed with the Chair and Chief Executive that a public announcement would not be made until relevant parties were informed of the outcome. The Policing Board announced the appointment on 16 September.

Mr Hussey asked the Minister of Justice, pursuant to AQW 36041/11-15, whether he met Ms Catriona Ruane MLA and Mr Gerry Kelly MLA after meeting the Chief Executive Officer and Chair of the Board.
(AQW 36664/11-15)

Mr Ford: I met Ms Catriona Ruane MLA and Mr Gerry Kelly MLA after meeting the Chair and Chief Executive of the Policing Board. Following the meeting with both MLAs I then held a final meeting with the Chair and Chief Executive to convey my decision after receiving assurances that the procedures for the Deputy Chief Constable selection process were robust and properly adhered to.

Mr Campbell asked the Minister of Justice, following the seizure of a multi-million pound illegal drugs haul in International waters off the coast of the Irish Republic, which involved the National Crime Agency, which organisations would be involved should a similar operation be required in waters off the Northern Ireland coast.
(AQW 36672/11-15)

Mr Ford: The precise agencies involved in any operation would be dependent upon a number of factors. These include the areas of responsibility, the commodities involved and the risk and harm associated with the operation.

In a situation such as that outlined in the question I would expect the PSNI to be involved. There may also be a role for the NCA, the UKBA and HMRC to play. The role of the NCA would be limited, if the operation was in Northern Ireland territorial waters, as drug operations fall into the devolved sphere.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36138/11-15 and given that there are officers who are dissatisfied with their regional board representatives and central committee, and these officers face sanctions if they raise

concerns, (i) whether there is a facility which his Department will recognise to represent the views of these officers; and (ii) whether he will conduct a review into the running of the Police Federation to include member satisfaction.
(AQW 36686/11-15)

Mr Ford: The Police Federation for Northern Ireland exists to represent the views of all PSNI officers within the federated ranks. The Federation is recognised by my Department, together with other staff associations as set out in the Police Association for Northern Ireland Regulations 1991.

The Police Federation regional board representatives are elected every three years by police officers serving within the respective region. In the event that members are dissatisfied with the representation provided by those elected, this should, in the first instance, be raised through the relevant area representative or Regional Board and, if necessary, escalated to Central Committee. In the event that the matter is not resolved, the members then have recourse to the Chief Constable who has overall responsibility for the conduct of his officers. The Policing Board, which holds the Chief Constable to account, may also have an interest. It would be inappropriate for me, as Justice Minister to become directly involved in these matters until these other avenues have first been explored. That said, I am aware of the concerns of a small number of officers and, in discussions with the Federation officers, I have encouraged them to work towards a resolution.

It is inaccurate to claim that police officers who raise concerns about their representation within the Police Federation face sanctions solely for raising such concerns. There is however, a certain level of behaviour required of police officers encapsulated within their Code of Ethics, which requires concerns to be raised in an appropriate manner through the appropriate channels.

Mr Allister asked the Minister of Justice (i) why the Juvenile Court is moving from Townhall Street courts to Laganside; (ii) what consultation was carried out with the Judges who preside in this court; and (iii) what arrangements are in place to meet the welfare obligations towards juvenile users of the court.
(AQW 36691/11-15)

Mr Ford:

(i) Belfast Magistrates' Youth Court sittings are transferring to Laganside Courts as a result of the decision to temporarily close the Old Townhall building following significant reduction in Northern Ireland Courts and Tribunals Service (NICTS) budget.

(ii) Discussions have taken place with the Lord Chief Justice and District Judges directly impacted by the temporary closure regarding requirements and future arrangements for these courts.

(iii) NICTS is working closely with key stakeholders and NSPCC Young Witness Service to ensure that, where possible, the recommendations relating to the operation and layout of the Youth Court, as set out in the Youth Court Guidelines, are applied and appropriate provision is made for vulnerable victims or intimidated witnesses attending these courts.

Mr Easton asked the Minister of Justice which public bodies have the authority to remove Department of Justice records for examination.
(AQW 36697/11-15)

Mr Ford: A range of public bodies have the authority to remove Department of Justice records, in certain circumstances, and normally under warrant. As this would extend to certain GB bodies, it is not possible to provide a definitive list.

For example, the Police and Criminal Evidence Act (1984) gives the police powers, in defined circumstances, to remove "material relating to a crime", which in some cases may require a warrant; some regulatory bodies, like the Information Commissioner, if they suspect an offence has been or is being committed, can apply to a court for a warrant to enter premises and seize relevant records; Her Majesty's Revenue and Customs has a civil power to remove information and documents from a taxpayer or a third party for a reasonable period on issue of an "information notice", as well as powers under the PACE; the Public Record Office of Northern Ireland has authority (under the Public Records Act of Northern Ireland (1923) and the Disposal of Documents Order (1925)) to remove records which have been identified for permanent preservation in the approved Departmental Retention & Disposal Schedule, also under warrant.

Mr Ross asked the Minister of Justice to detail the reoffending rate for people sentenced to (i) short; and (ii) long prison sentences.
(AQW 36721/11-15)

Mr Ford: Short prison sentences have been defined, for the purposes of this answer, as less than four years and long prison sentences as four years and over.

Of those who reoffended in 2010/11, 1,297 people had been released from custody at some point during the 2010/11 financial year. Of these;

- 1,172 had been sentenced to less than four years in prison, of whom 48% (562 people) reoffended within one year of release.
- 125 had been sentenced to four years or more in prison, of whom 22% (27 people) reoffended within one year of release.

Note that variations in offending related characteristics make comparing reoffending rates across these two groups problematic. No assumptions about the effectiveness of short and long term sentences can be made from the information provided.

Mr Ross asked the Minister of Justice how the reoffending rate in Northern Ireland compares to other UK jurisdictions.
(AQW 36723/11-15)

Mr Ford: The reoffending rate[2] for the 2010/11 Northern Ireland cohort was 16.7%. Although this figure has been produced using similar methodology to the Ministry of Justice, variations in police detection rates, sentencing trends and offending related characteristics make comparing reoffending rates across jurisdictions (and indeed across different cohorts within the same jurisdiction) problematic.

The 2010/11 reoffending rate for England and Wales, produced by the Ministry of Justice, was 26.8%.

Scotland does not produce reoffending rates, but uses a different methodology to produce one and two year reconviction rates.

Mr Ross asked the Minister of Justice to detail the prison population in each of the last ten years.
(AQW 36724/11-15)

Mr Ford: The Department of Justice publishes average prison population figures in the National Statistics Northern Ireland Prison Population series. The most recent figures up to 2012 are given in Research and Statistical Bulletin 6/2013. The information in the table below is taken from this publication.

Average Northern Ireland Prison Population 2002 – 2012

Year	Average Prison Population
2002	1,026
2003	1,160
2004	1,274
2005	1,301
2006	1,433
2007	1,466
2008	1,490
2009	1,470
2010	1,465
2011	1,682
2012	1,774

It is anticipated that the next bulletin in this series covering average prison population for 2013 will be published in November 2014.

Mr Campbell asked the Minister of Justice what was the average cost per prisoner held in 2013 in (i) Maghaberry; and (ii) Magilligan prisons.
(AQW 36733/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) does not hold the average cost per prisoner by Establishment. Each year NIPS sets out the overall average Cost Per Prisoner Place in its Annual Report and Accounts, which for 2013/14 was £62,898.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36337/11-15, when the stated third party subcontractor in question tendered for the current contract with Scottish Prison Service.
(AQW 36782/11-15)

Mr Ford: The term 'sub-contractor' is not accurate. The process for bids from all contractors closed on 20 April 2009.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36066/11-15 to address points (i) and (ii) of the original question.
(AQW 36862/11-15)

2 The reoffending rate is defined as 'the percentage of offenders in a given financial year who commit a proven reoffence, within one year of their date of discharge from custody, receipt of non-custodial disposal or diversionary disposal.'

Mr Ford: My Department does not hold the information requested.

As the responsibility for the preparation of accounts for the Police Federation for Northern Ireland (PFNI), including filing, rests with the PFNI Central Committee, may I suggest that these questions are directed to the PFNI.

Mr Gardiner asked the Minister of Justice to detail the number of people under eighteen that have been prosecuted for drink-driving in each of the last three years.
(AQW 36883/11-15)

Mr Ford: Drink driving offences may be prosecuted under the Road Traffic (Northern Ireland) Order 1995. The most recent prosecutions and convictions data available relate to 2012.

Prosecutions and Convictions for drink driving offences where the defendant was under 18, 2010 – 2012

	2010	2011	2012
Prosecuted	20	15	10
Convicted	20	14	10

Notes:

1. Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted is included.
2. The figures provided relate to prosecutions for all classifications of the offences specified.
3. Age of the defendant is calculated at the date of court finding.

Mr Gardiner asked the Minister of Justice for his assessment of the impact of dissident republican activity on the budgetary pressures faced by the PSNI in the last three years.
(AQW 36884/11-15)

Mr Ford: The allocation of funding within PSNI is an operational matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

Mr Gardiner asked the Minister of Justice for his assessment of the involvement of EU and non-EU nationals in organised criminal activity in Northern Ireland.
(AQW 36885/11-15)

Mr Ford: I welcome those external EU and non EU nationals who are living in Northern Ireland and contributing positively to society. There are, however, a small minority living here who, like local criminal groups, are involved in criminality. Additionally some criminal activity is organised by persons living outside Northern Ireland who may only enter the jurisdiction occasionally, if at all.

There are those from different external EU and non EU countries who are involved in various criminal enterprises. These include drug trafficking, human trafficking, organised mobile crime, robberies. This organised criminality mirrors much of that by local criminal groups but we have seen that those from outside Northern Ireland may bring new methods and these can then be shared between criminal groups.

The global nature of organised crime, which can be conducted by being physically here or, for example, through cyber methods, requires a joined-up multi-agency approach by law enforcement and Government with support from the community.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36066/11-15, whether an investigation is under way to establish why a regulation has been breached by accounts not routinely being sent to his Department; and if not, will he order such an investigation.
(AQW 36917/11-15)

Mr Ford: Responsibility for the submission of accounts for the Police Federation for Northern Ireland (PFNI) rests with the PFNI Central Committee.

The fact that the PFNI accounts have not been routinely copied to my Department has only recently come to light. My officials have already engaged with the PFNI Central Committee and asked that any outstanding documents be submitted as a matter of urgency.

Mr Flanagan asked the Minister of Justice what consideration he has given to amending the Justice and Security Act (NI) 2007 to remove the power of an officer to stop and search individuals in a public place without reasonable grounds for suspicion.
(AQW 36945/11-15)

Mr Ford: The Justice and Security (NI) Act 2007 is an excepted matter and therefore is the responsibility of the Secretary of State for Northern Ireland.

Mr Campbell asked the Minister of Justice whether he has held any recent discussions with the Chief Constable regarding the increase in attacks on Orange Halls in isolated and border areas.
(AQW 36968/11-15)

Mr Ford: I have discussed these matters previously with the Chief Constable and will be raising the issue again when I next see him.

I know that the Police Service takes all such attacks seriously.

Lord Morrow asked the Minister of Justice how many times the case of Darius Porcikas was listed for trial in relation to the offences committed on 13 July 2011; and why each attempt to hold the trial was aborted or collapsed, detailing the dates of each attempt.
(AQW 37005/11-15)

Mr Ford: The case of Darius Porcikas was initially listed for trial on 14 October 2013. However on 12 September 2013 it was taken out of the list and put back until 25 November 2013 at the request of the prosecution. Subsequently a total of five trials were aborted.

The first trial commenced on 25 November 2013 and was aborted on 26 November 2013 as one of the jurors had heard about the case from a work colleague.

A second trial which started on 13 January 2014 was aborted on 14 January 2014 as concerns had been raised about the accuracy of interpretation by an interpreter employed by the Public Prosecution Service.

Trials three and four were aborted when the victim made prejudicial comments during her evidence in court. Trial three commenced on 11 March 2014 and was aborted on 12 March 2014. The fourth trial commenced on 18 March 2014 and was aborted on 20 March 2014.

The fifth trial started on 7 May 2014 but was aborted at the direction of the Judge as a juror highlighted a personal issue which may have called into question their impartiality.

The final trial commenced on 13 May 2014 and ended on 29 May 2014. Sentencing took place on 23 September 2014. Mr Porcikas received an Extended Custodial Sentence of 18 years with a further 3 years on licence.

Mr Allister asked the Minister of Justice, in view of the call by the Chief Coroner, on 3 October 2014 at a preliminary hearing into the Kingsmills Massacre, for inter-governmental engagement to address the need for timely and effective cooperation by the Garda, what steps he has taken, or will take, with his Republic of Ireland counterpart.
(AQW 37009/11-15)

Mr Ford: At the preliminary hearing into the Kingsmills Massacre on 3 October 2014, the Coroner agreed that PSNI should pursue the matter of securing engagement by An Garda Síochána in the release of material to the Coroner. If that approach is not productive, at the request of the Coroner the DOJ will take the issue up through the appropriate channels.

Mr Allister asked the Minister of Justice, pursuant to AQW 36677/11-15, to identify any such groups or organisations to which he was referring.
(AQW 37069/11-15)

Mr Ford: I have nothing to add to my earlier reply.

Mrs Dobson asked the Minister of Justice for his assessment of the concerns raised in a report by the UN Committee on the Rights of the Child regarding the lack of a clear system of co-operation to identify and respond to children who are particularly at risk of becoming victims, because of the failure to extend the National Crime Agency to Northern Ireland.
(AQW 37093/11-15)

Mr Ford: The report referred to expressed the strong concern of the UN Committee on the Rights of the Child that, in the absence of National Crime Agency (NCA) operation in the devolved sphere in Northern Ireland, the Child Exploitation and Online Protection Centre (CEOP), which is integrated into the NCA, is not fully operational here. It suggested that this was an example of devolution leading to discrimination in the enjoyment of rights by children.

The background is that the PSNI are able to access information and advice from CEOP. What is missing, however, is access to operational support. Unless the Assembly agrees to a legislative consent motion, and the Westminster Parliament passes related legislation, the NCA will not have this ability. Clearly that places the PSNI at a distinct disadvantage compared to other police services in the United Kingdom. This is especially so given the pressure on the police budget.

Discussions are ongoing with the main political parties and others to seek to reach agreement on a way forward.

Department for Regional Development

Mr Spratt asked the Minister for Regional Development for his assessment of the number of safety speed restrictions that may be required to be put in place on the roads system due to corporate risk related issues.
(AQW 35275/11-15)

Mr Kennedy (The Minister for Regional Development): My Department is responsible for the setting of speed restrictions within Northern Ireland. Officials routinely respond to requests received for changes to speed restrictions, as well as carrying out reviews at locations where a change in the nature of the road has been identified, for example, as the result of recent adjacent development.

My Department may implement temporary speed restrictions where it perceives there may be a danger to the public. However, this is not a practice that is widely used. The exact nature of the perceived danger will determine what measures are put in place, for example, the erection of warning signs, road closures, lane restrictions, weight restrictions or temporary traffic control. Some of these measures by their very nature will reduce traffic speeds.

Mr Easton asked the Minister for Regional Development how many times a year does his Department cut grass in the North Down area.
(AQW 35526/11-15)

Mr Kennedy: I can advise the Member that, between April and October, my Department carries out grass cutting operations as part of its routine maintenance functions. The current policy throughout Northern Ireland, including North Down, is for five cuts in an urban environment and two cuts in a rural setting.

As you will be aware, following the recent announcement on June monitoring, my Department's Resource Budgets for day-to-day maintenance of the road network have been cut. As a result, I have had no option other than to stop issuing new work instructions to our contractors who currently undertake around one-quarter of our essential work, in the following areas: footway and carriageway patching including potholes, grass cutting/environmental maintenance, gully emptying, road marking maintenance/renewal and traffic sign maintenance/replacement.

My Department's Operations and Maintenance staff will endeavour to keep the road network in as safe a condition as possible. However, as they only have resources to complete around three- quarters of the total workload, they will not be able to provide the service the public would expect in normal circumstances.

In addition, I no longer have sufficient funding to pay contractors for the repair of street lights that fail, unless they pose an electrical hazard to members of the public. My Operations and Maintenance staff will, however, deal with outages on a priority basis. As Operations and Maintenance has only around one-quarter of the resources require to fix street all lights, it will take longer to fix single outages.

These have been difficult decisions to take but are necessary in order to try and protect areas such as winter service, where withdrawal of our work could have an even greater impact on the Northern Ireland economy and the public.

I realise these measures will impact on our contractors, road users and the public, but I have to make best use of my Department's limited resources.

I hope this reply helps to explain the rationale behind my decisions and reassures you of my ongoing commitment to continue to seek additional funding to the benefit of both the travelling public and the construction industry.

Mr Easton asked the Minister for Regional Development to detail the assets held by his Department that are surplus to requirements.
(AQW 35887/11-15)

Mr Kennedy: Details of the location of land/ property deemed surplus to my Department's requirements, and currently being disposed of in line with the Department of Finance and Personnel's "Disposal of Surplus Public Sector Property in Northern Ireland – March 2010", are as follows:

Transport NI Division	Street No	Street Name	Town/City
Eastern	167	Finaghy Road South, Ballyfinaghy	Belfast
Eastern	188	Andersonstown Road	Belfast
Eastern		Ann Street/Donegall Quay	Belfast
Eastern	29	Ardmore Park	Belfast
Eastern	31A	Ashdale Crescent	Bangor
Eastern	185	Ballynahinch Road	Dromore
Eastern	131	Ballynahinch Road Largymore	Lisburn

Transport NI Division	Street No	Street Name	Town/City
Eastern	208	Bangor Road Craigavad	
Eastern		Belfast Road	Glenavy
Eastern		Bentrim Rd	Lisburn
Eastern		Boyd Street/Millfield	Belfast
Eastern	15	Bridge Road	Moira
Eastern		Castle Gardens Queens Road Car Park	Lisburn
Eastern	107	Colinglen Road	Belfast
Eastern	322	Comber Road	Lisburn
Eastern	11	Comber Road, Dundonald	Belfast
Eastern	21	Comber Road, Dundonald	Belfast
Eastern	1	Comber Road, Dundonald	Belfast
Eastern		Corporation Street	Belfast
Eastern		Depot Road	Belfast
Eastern	7	Derriaghy Road	Lisburn
Eastern		Distillery Street/Westlink	Belfast
Eastern	25	Glebe Road East	Newtownabbey
Eastern	4	Grahamsbridge Road	Belfast
Eastern		Great Patrick Street/Dunbar Link	Belfast
Eastern	2	Green Lane	Conlig
Eastern		Hamilton Road /Park Drive	Bangor
Eastern	100	High Street	Belfast
Eastern		Holywood Road	Belfast
Eastern		Linenhall Street	Lisburn
Eastern		Linenhall Street /Market Street	Lisburn
Eastern		Lurgan Road/ Chapel Road	Lisburn
Eastern	42	Main Street	Moira
Eastern		Manse Road/Ballyclare Road	Newtownabbey
Eastern		Mayfield Link	Mallusk
Eastern	126	Moira Road	Hillsborough
Eastern		Motorway	Dunmurry
Eastern		Newtownbreda Road	Belfast
Eastern	265	Old Belfast Road, Ballyvarnet	Bangor
Eastern		Old Belfast Road	Bangor
Eastern		Old Golf Course Road	Dunmurry
Eastern		Old Saintfield Road	Belfast
Eastern		Orchard Mews, Newtownbreda Road	Belfast
Eastern	15	Parkgate Avenue, Ballyhackamore	Belfast
Eastern	17a	Parkgate Avenue, Ballyhackamore	Belfast
Eastern		Prince William Road	Lisburn
Eastern		Queens Road	Lisburn

Transport NI Division	Street No	Street Name	Town/City
Eastern		Queens Road/New Street	Lisburn
Eastern		Regent Street /Clifton Street	Belfast
Eastern	15	Scrabo Street	Belfast
Eastern	17	Seahill Drive, Ballyrobert	Holywood
Eastern	28	Seymour Street /Queens Road	Lisburn
Eastern	22	Seymour Street/Queens Road	Lisburn
Eastern	36	Shore Road, Greenisland	Carrickfergus
Eastern	28	Shore Road, Greenisland	Carrickfergus
Eastern	131	Shore Road	Newtownabbey
Eastern		Shore Road / Northwood Parade	Belfast
Eastern		Station Road	Moira
Eastern		Stewartstown Road/Linden Hill	Derriaghy
Eastern		Stewartstown Road	Belfast
Eastern	238	Stewartstown Road	Belfast
Eastern	27	Thornleigh Drive	Lisburn
Eastern	9E	Thornleigh Park	Lisburn
Eastern		Tillysburn	Belfast
Eastern		Upper Dunmurry Lane, Dunmurry	Belfast
Eastern	243	Upper Lisburn Road,	Belfast
Eastern		Upper Malone Road/Old Coach Lane, Finaghy	Belfast
Eastern		Wilmar Road/Belsize Road	Lisburn
Eastern	5	Woodlands Court	Belfast
Eastern		York Street	Belfast
Eastern		York Street	Belfast
Northern		Abbey Street Car Park	Coleraine
Northern	1	Adam Clarke Gardens	Portstewart
Northern	10	Agherton Gardens	Portstewart
Northern		Airfield Road Drumaney	Eglinton
Northern	181	Airport Road	Antrim
Northern		Ballee Road East	Ballymena
Northern	66	Ballyconnelly Road Cullybackey	Ballymena
Northern	25	Beech Drive	Ballymena
Northern		Belfast Road	Larne
Northern		Belt Road	Londonderry
Northern		Bigwood Corner	Londonderry
Northern		Blighs Lane	Londonderry
Northern		Boating Club Lane	Londonderry
Northern	24	Browning Drive	Londonderry
Northern	40	Bush Road	Antrim
Northern	19	Carhill	Garvagh

Transport NI Division	Street No	Street Name	Town/City
Northern		Carmavy Road	Antrim
Northern	7	Carnearney Road	Ballymena
Northern	2	Cashel Road	Coleraine
Northern		Celandine Court	Londonderry
Northern	100	Clooney Road	Limavady
Northern	7	Cloyfin Road	Coleraine
Northern	64	Coleraine Road	Garvagh
Northern		Craigstown Road	Randalstown
Northern	180	Creggan Road	Londonderry
Northern	68	Culmore Road	Londonderry
Northern	24	Deanfield	Londonderry
Northern		Ebrington	Londonderry
Northern	76	Finvoy Road	Ballymoney
Northern		Foreglen Road, Muldonagh Pumping Station	
Northern		Glenariff Road, Waterfoot	Ballymena
Northern		Glenshane Road (42 Tobermore Road), Mullagh	Maghera
Northern	116	Land adjacent to Ballyrobin Road	Muckamore
Northern		land opposite hospital at Bush Road	Antrim
Northern	170	Larne Road	Ballymena
Northern	12	Liminary Road	Ballymena
Northern		Long Commons Car Park	Coleraine
Northern	7	Lough Road	Antrim
Northern		Madam's Bank Road	Londonderry
Northern	16	Moneybrannon Road	Aghadowey
Northern		Moorfields, Ballycreggy	Ballymena
Northern	5	Movilla Road	Portstewart
Northern		Muldonagh Pumping Station	Londonderry
Northern		New Street	Randalstown
Northern		Oldstone Road	Muckamore
Northern	1	Pennybridge Road	Ballymena
Northern		Plots A & B, Bush Road	Antrim
Northern		Raceview Road, Broughshane	Ballymena
Northern		Railway Street	Ballymena
Northern	5	Rathmore Road	Limavady
Northern	Plots26A & 26B	Ross Bay	Londonderry
Northern		Rossbay/Deanfield	Londonderry
Northern	171	Seven Mile Straight	Antrim
Northern		Seven Mile Straight	Muckamore
Northern	2	Shankbridge Road	Ballymena
Northern	292-	Shore Road	

Transport NI Division	Street No	Street Name	Town/City
Northern	2	Shore Street	Larne
Northern	5,6	Skerryview	Broughshane
Northern	1 &4	Skerryview	Broughshane
Northern	Plot 3	Station Rd	Coleraine
Northern		Tamnymore Wood, Glenshane Road	Londonderry
Northern	3	Tirkeeran Road	Garvagh
Northern		Tully Road (Plot 9 &10)	Antrim
Southern		A27 Tandragee Road, Lisdrumgullion	Newry
Southern		Abbey Street and Dufferin Avenue Car Parks	Bangor
Southern	27	Annesborough Road	Lurgan
Southern	1	Ashwood	Lurgan
Southern		B10 Rathfriland Road	Banbridge
Southern		Ballycloughan Road	Saintfield
Southern	58	Ballydogherty Road Loughgilly	
Southern		Banbridge Road	Loughbrickland
Southern	294	Belfast Road Carrowreagh	Dundonald
Southern		Breagh Drive/Carn Road	Portadown
Southern	1	Buchanans Road	Newry
Southern		Caledon Road	Armagh
Southern		Carnagat Road / Camlough Road	Newry
Southern		Carnbane Way, Lisdrumgullion	Newry
Southern		Cascum Road	Banbridge
Southern		Castle Street Corcrain	Portadown
Southern		Castlekeele Heights	Newry
Southern	18	Church Hill	Newry
Southern	1	Church St	Downpatrick
Southern		Cusher Road/Glenanne Road, Loughgilly	Armagh
Southern		Derrymacash Road	Lurgan
Southern	107	Dublin Road	Newry
Southern		Edward Street/Millennium Way	Lurgan
Southern	238	Gilford Road	Portadown
Southern		Gilpinstown Road, Tullygally	Lurgan
Southern		Gracefield Lodge, Dollingstown	Craigavon
Southern	57	Hillsborough Road,Ballymacormick	Dromore
Southern	49	Hillsborough Road	Dromore
Southern		Jubilee Road	Newtownards
Southern		Lakeview Road	Craigavon
Southern		Lakeview Road / Balteagh Road	Craigavon
Southern		Linenhall Street	Armagh
Southern		Linenhall Street	Armagh

Transport NI Division	Street No	Street Name	Town/City
Southern	25	Lurgan Road	Aghagallon
Southern		Magherabeg Road	Dromore
Southern	7	Main Street	Millisle
Southern		Martins Lane	Newry
Southern		Mill Street and John Street	Newtownards
Southern		Millennium Way, Tannaghmore South	Lurgan
Southern		Millennium Way	Lurgan
Southern		Millvale Road	Newry
Southern		Moss Road	Millisle
Southern		Newry Road	Loughbrickland
Southern	122	Newry Road - Plot 2	Crossmaglen
Southern	27	Newtown Road	Newry
Southern	145	Newtownards Road	Comber
Southern		Obins Street	Portadown
Southern		Old Armagh Rd, Kilmore	Moy
Southern	177	Old Kilmore Road, Kilmore	Lurgan
Southern	4/6/20	Poyntzpass Road	Scarva
Southern		Quoile Crescent	Downpatrick
Southern		Rathfriland Road	Banbridge
Southern	2	Richmond Drive, Ballymore	Tandragee
Southern	10	Scotch Street	Downpatrick
Southern		Slieve Croob, Dree Hill	Dromara
Southern	1	St Patricks Avenue	Aghagallon
Southern		Trasna (Millennium) Way	Lurgan
Southern	44	Vicarage Road	Portadown
Western		Rosscrennagh To Rossharbour	Belleek
Western		A4 Drumgormal	Dungannon
Western		Adj to M1 Service Station Mullybrannon	Dungannon
Western	28	Adj. Mount Stewart Road	Fintona
Western	Plot 25	Annaghilla	Dungannon
Western		Annaghilla	Dungannon
Western		Annaghilla Road	Ballygawley
Western		Caledon Rd Derrycush	Aughnacloy
Western		Caledon Rd Derrycush	Aughnacloy
Western		Castlegore Road	Castlederg
Western	25	Cherry Valley	Enniskillen
Western	3A	Clabby Road	Fivemiletown
Western	30	Clanbogan Road, Ballygowan	Omagh
Western	160	Coalisland Road	Dungannon
Western	33	Cravenny Road	Dungannon

Transport NI Division	Street No	Street Name	Town/City
Western		Dergbrough Road	Plumbridge
Western		Derryardry Lane, Derryhubbert East	Dungannon
Western		Derryardry Lane	Dungannon
Western		Draperstown Road	Desertmartin
Western	10	Dunganon Road	Aughnacloy
Western	12	Dunganon Road	Aughnacloy
Western	25	Enniskillen Road	Lisbellaw
Western		Garvary	Teemore
Western	Plots 17 & 19	Halftown Road	Dungannon
Western		Killybrack/Circular Road	Omagh
Western	17	Killyliss Road	Dungannon
Western	1A	Kings St/Broad St	Magherafelt
Western	28D	Link Road/Sycamore Road, Killadeas	Irvinestown
Western		Melmount Road	Strabane
Western		Moneymore Road	Cookstown
Western	67	Moy Road	Dungannon
Western	5	Mullagh Road	Maghera
Western		Old Eglish Road Roundabout	Dungannon
Western		Paget Square	Enniskillen
Western		Plot C, Arvalee	Omagh
Western		Roads Service Depot	Brookeborough
Western		Station Road	Moneymore (Feenanmore & Feenanbeg)
Western		Syerla Road, Moygashel	Dungannon
Western		Tamnamore	Dungannon
Western		Tamnamore Road	Dungannon
Western		Tulldahy - Plots 2 & 3, Stonepark	Brookeborough
Western	72A	Victoria Road	Londonderry
Western		Westland Road South, Tullagh	Cookstown

Mrs Dobson asked the Minister for Regional Development why the 21:20 x1 service from Dublin Airport to Belfast, jointly operated by Translink and Bus Eireann, was discontinued in June 2014; and whether there are any plans to reinstate the service.
(AQW 35894/11-15)

Mr Kennedy: Translink has advised me that following a review of passenger numbers on both the 21.00 hrs and 22.00 hrs services ex Dublin (City Centre) in preparation for the 2014 summer timetable, it decided that passenger usage did not justify the hourly frequency and decided to remove the 21.00 hrs service but continue with the 22.00 hrs service. This coincides with several flights arriving into Dublin Airport. This timetable change was made in June 2014 and there are no plans to reintroduce the 21.00 hrs service for the 2014/15 winter timetable.

Mrs Cochrane asked the Minister for Regional Development to detail (i) the legislative process that is initiated when his Department has approved an application for an accessible/disabled parking bay; and (ii) what action he intends to take to reduce the average duration of this process, which is nine months at present, in order to ensure that people with severe mobility problems can access their homes or places of work in areas where a parking problem exists.
(AQW 35918/11-15)

Mr Kennedy: My Department seeks to process applications as quickly as possible. Upon receipt the application is assessed, which includes checking the validity of the Disabled Blue Badge, checking the applicant is in receipt of the Higher Rate of Disability Living Allowance if they are under 65 years of age and checking the validity of the driving licence. In addition, an assessment of parking in the vicinity of the applicant's home is undertaken which consists of a number of surveys carried out at different times during the day and evening.

If the applicant satisfies the criteria, then a bay application will progress to the completion of the design stage, consultation with the local council, consultation with the Police Service of Northern Ireland and notification to frontagers/neighbours.

All of these important and sometimes fairly complex steps take time, but they must be completed by Transport NI before the legislative process can proceed.

Once my Department has approved an application for a disabled parking bay, and forwarded its instruction and supporting papers, the legislative process can commence. My Department makes at least six composite orders each year for disabled parking bays. Out of the 961 applications received for new disabled parking bays during the last three years, 367 were approved and legislated for. For example, in 2013/14 the orders provided for the creation of 111 new bays, the removal of 59 bays that were no longer required and the amendment of 5 bays.

My Department's primary legislation requires that it must follow a statutory consultation process for any disabled parking bays. This includes neighbourhood notifications and advertising of the Notice of Intention in the press. If an objection to a bay is raised during the consultation this must be considered and this can slow the progress, although on many occasions a particular bay with an objection is removed for further consideration to enable the rest of the bays in the order to be progressed. These statutory rules also need to be considered by the Committee for Regional Development, although the rule does not require to be laid before the Assembly.

On average each of the six or more disabled parking bay orders progressed each year by my Department take approximately four months to go through the full legislative process, which I trust you will agree is a reasonable timescale for progressing this important and beneficial subordinate legislation.

My Department already places great importance on providing disabled parking bays as quickly as is practicable in line with its policies and legislative procedures. However, I have asked for a further review of the process to see if there are any additional improvements that could be considered.

Mr Lyttle asked the Minister for Regional Development what departmental services he has made available to the public via the post office network.
(AQW 36199/11-15)

Mr Kennedy: Since taking up my post in May 2011 I have not made any departmental services available to the public via the Post Office network.

Mr Easton asked the Minister for Regional Development how many dropped kerbs have been built in Bangor over the last three financial years.
(AQW 36212/11-15)

Mr Kennedy: Over the past three financial years the number of dropped kerbs provided in the Bangor area is as shown:

2011/12	2012/13	2013/14
56	80	55

Mr Easton asked the Minister for Regional Development how many dropped kerbs have been built in Holywood over the last three financial years.
(AQW 36213/11-15)

Mr Kennedy: Over the past three financial years, the number of dropped kerbs provided in the Holywood area is as shown below:

2011/12	2012/13	2013/14
0	8	0

Mr Easton asked the Minister for Regional Development how many dropped kerbs have been built in Donaghadee over the last three financial years.
(AQW 36214/11-15)

Mr Kennedy: Over the past three financial years the number of dropped kerbs provided in the Donaghadee area is as shown:

2011/12	2012/13	2013/14
0	6	2

Mr Easton asked the Minister for Regional Development how many dropped kerbs have been built in Millisle over the last three financial years.
(AQW 36215/11-15)

Mr Kennedy: Over the past three financial years the number of dropped kerbs provided in the Millisle area is as shown:

2011/12	2012/13	2013/14
4	2	2

Mr Campbell asked the Minister for Regional Development whether he will consult on the safety considerations involved at the railway crossing at Bushmills Road, Coleraine, railway crossing to establish whether a more effective system can be implemented at the location.
(AQW 36219/11-15)

Mr Kennedy: Translink have advised that there is no evidence to suggest that the railway system at Bushmills Road, Coleraine crossing is ineffective as there have been no safety issues surrounding trains, equipment or railway procedure at this crossing, when properly used by those approaching the crossing. There are therefore no plans to consult on the introduction of a more effective system.

In response to a previous question (AQW 32176/11-15) I advised that the Coleraine/Londonderry Phase 2 project will modernise the signalling system between Coleraine and Londonderry. This will have a positive effect on the operation of this crossing and will be completed by the end of 2016.

Mr Dunne asked the Minister for Regional Development when the preferred option for the Craigantlet Roundabout Scheme will be announced.
(AQW 36291/11-15)

Mr Kennedy: My Department commissioned a detailed study of a number of alternative layouts in relation to this scheme, many of which had been put forward by local residents. The report concluded that, of the options considered, three were worthy of further consideration.

These options were subsequently put forward for public consultation, which generated significant interest among local residents and road users. Officials have prepared a report on the consultation, which I will consider in detail before committing to a decision.

I hope to be in a position to announce details of the preferred scheme later this year.

Mr Dunne asked the Minister for Regional Development whether a peak time recovery vehicle service for the Belfast to Bangor A2 road is viable.
(AQW 36292/11-15)

Mr Kennedy: My Department only requires the provision of a breakdown service on certain road work sites which utilise the hard shoulder as a running lane. In such cases, when trying to maintain two lanes of traffic in each direction, it is often difficult, if not impossible, to provide a refuge for broken down vehicles which unfortunately may lead to disruption for traffic.

This service is not provided on general traffic roads on any route across Northern Ireland and, given the current budget restraints, there are currently no proposals to introduce such a service on the A2, or any other heavily-trafficked route.

Mr Agnew asked the Minister for Regional Development to detail the communication and coordination between NI Water, Transport NI and other gas and utility companies to ensure that works which restrict roads access, which require roads to be excavated, are undertaken at the same time; and whether Transport NI ensures roads resurfacing is undertaken subsequent to, rather than before, works requiring roads excavation.
(AQW 36312/11-15)

Mr Kennedy: Transport NI invites NI Water and other gas and utility companies to attend Divisional Road Authority and Utilities Committee meetings every six months. The terms of reference for these Committees include consideration of specific major projects, medium term and annual works programmes for both the Department and street works undertakers, and the potential for reducing disruption through common schemes or trench sharing.

In addition, Street Works Regulations made under the Street Works (Northern Ireland) Order 1995, require street works undertakers to provide a minimum of one month formal notification of their intention to commence major works. This

notification is made through the Northern Ireland Street works Register and Notification System, and is communicated to Transport NI and all other utility companies with an interest in that geographical area.

Where temporary road closures or traffic restrictions are required to enable the works to take place, Transport NI can further use this opportunity for co-ordination of works.

Transport NI shares its resurfacing programmes with utility companies at Divisional Road Authority and Utilities Committee meetings, and is required to provide three months advance notification of each resurfacing scheme on Northern Ireland Street works Register and Notification System. This provides utility companies with an opportunity to consider whether they have works requiring excavation on a road programmed for resurfacing. Transport NI will defer resurfacing, where necessary, to allow such works to be carried out first. In the absence of any response from utility companies, Transport NI can then prevent utility companies from carrying out planned work on the resurfaced street for a period of 12 months from completion of the resurfacing.

However, situations do arise where a utility company must meet a customer request for a new connection or carry out emergency works on a recently resurfaced road. Transport NI cannot prevent utility companies from carrying out work in those circumstances.

Mr Campbell asked the Minister for Regional Development what steps will he take to ensure that defaced road signs are replaced in such a way as to make further vandalism more difficult.
(AQW 36328/11-15)

Mr Kennedy: It is an offence under Article 33 of the Road Traffic (NI) Order 1981 for a person to unlawfully and intentionally interfere with or damage a traffic sign and anyone caught defacing road signs will be prosecuted.

However, as you will appreciate it can be difficult proving a case in this regard, as the courts will require substantial and clear evidence before an effective prosecution can be brought.

My Department carries out regular inspections of all public roads and footways, to ensure that essential maintenance needs are identified and remedial work is completed as necessary. During these inspections, all defects are noted, including defective or vandalised signs, in addition to those signs needing cleaning to improve visibility.

The need for an anti-graffiti coating will be considered by engineers before replacing any signage which is the subject of regular vandalism. Whilst this is done routinely for new signs, it is generally only done on a sign-by-sign basis for replacement or existing signs when the sign has either reached the end of its serviceable life, has been vandalised beyond repair or needs replaced to reflect changes to the local road network.

However, treating traffic signs with anti-graffiti coating only makes it easier for the graffiti to be removed and does not prevent the graffiti from being applied in the first instance. Officials will continue to remove graffiti from traffic signs and prioritise those deemed offensive or affecting road safety.

Mr McKay asked the Minister for Regional Development what consideration his Department has given to the provision of a park and share facility for Portglenone.
(AQW 36366/11-15)

Mr Kennedy: My Department aims to encourage people to consider using more sustainable forms of travel, including Park and Share, in order to reduce the number of vehicles on the roads and to ease congestion.

However, given Portglenone is within easy travelling distance of four Park and Ride/Park and Share sites in Ballymena, Toome, Randalstown and Antrim it is felt that it is currently sufficiently well catered for.

Ms Sugden asked the Minister for Regional Development to outline any Road Safety schemes his Department is planning to introduce to coincide with the launch of the Bicycle Strategy for Northern Ireland.
(AQW 36370/11-15)

Mr Kennedy: I launched the draft Bicycle Strategy for Northern Ireland on 27th August 2014 for a twelve week period of public consultation. During the consultation period my Department is seeking views on the document and any other relevant issues which may not have been covered by the document.

Input received during the consultation period will be considered before the strategy is finalised and a Consultation Report outlining the Department's response to the issues raised will be published.

Following the finalisation of the Strategy a Bicycle Strategy Delivery Plan will be published. The Delivery Plan will include details of specific projects that my Department is planning to take forward. Officials in my department and in DOE are working closely together to support my vision of more cycling, done safely and with mutual respect for other road users.

A key task in developing the Delivery Plan will be to work with stakeholders in the assessment and development of current bicycle infrastructure and progressing opportunities for new routes.

Ms Sugden asked the Minister for Regional Development whether his Department is considering improvements to street lighting, including in rural areas, to encourage people from all areas to actively participate in the Bicycle Strategy.
(AQW 36373/11-15)

Mr Kennedy: My Department takes account of safety for all road users, including cyclists, when considering the provision or improvement of street lighting facilities, in both urban and rural areas.

Due to the ongoing pressure on my Department's resource budget for street lighting, further extensions to the street lighting network are generally not appropriate until sufficient resources are available to properly operate and maintain existing street lighting installations.

The draft Bicycle Strategy for Northern Ireland highlights four key elements which will contribute to achieving our vision for cycling in Northern Ireland. These are:

- a comprehensive network for the bicycle;
- safe spaces for the bicycle;
- greater numbers of people travelling by bicycle; and
- inviting places for all.

Once the Strategy has been finalised a Bicycle Strategy Delivery Plan will be published. The Delivery Plan will include details of specific projects that my Department is planning to take forward.

Mr Flanagan asked the Minister for Regional Development what plans are in place for a formalised footpath to the new public toilets in Derrygonnelly, Co Fermanagh.
(AQW 36391/11-15)

Mr Kennedy: I understand that Fermanagh District Council's main objective in providing these toilet facilities was to provide a facility for passing motorists. As such, pedestrian traffic associated with the facility would be very limited. If it had been believed this facility would attract pedestrian traffic then, at the planning stage, Council would have been asked to provide a footway in conjunction with the development.

Mr Flanagan asked the Minister for Regional Development for his assessment of the sufficiency of the parking provided for in Rosnarick Close, Derrygonnelly; and what plans are in place to increase the number of spaces.
(AQW 36393/11-15)

Mr Kennedy: As a general rule, my Department does not provide parking for amenity reasons. An exception to this is where the provision of residential parking, would be a benefit in terms of improved traffic progression along a main through route, and where there is no or limited parking available at present.

Rosnarick Close is a cul-de-sac housing development which currently enjoys both on-street and private parking provision with little or no traffic progression issues in the area. In cases such as this if an additional need is requested then my Department's position is that it will adopt any new parking areas providing they are constructed to proper standards by others.

I am aware this arrangement has worked successfully in the past where there are many examples of the Northern Ireland Housing Executive, constructing new parking areas and the Department subsequently adopting them. There are other examples where my Department and Housing Executive have jointly funded the works, but only in cases where there are road safety or traffic progression concerns.

I cannot comment on the sufficiency of existing parking levels in Rosnarick Close, but I am content for my Department to adopt any new spaces if a third party, such as the Housing Executive, chooses to provide them.

Mr Flanagan asked the Minister for Regional Development to detail the (i) the number of devices which have connected to the Translink wi-fi service on buses and trains; and (ii) the total amount of data that has been downloaded and uploaded, since the introduction of free wi-fi on board public transport vehicles.
(AQW 36395/11-15)

Mr Kennedy: The table below details the number of devices which have connected to the Translink wi-fi service on buses and trains and the amount of data downloaded and uploaded since the introduction of free wi-fi on board public transport vehicles.

	Goldline Coaches	**Northern Ireland Rail**
Number of devices which have connected to the Translink wi-fi system	361,591	449,340
Data downloaded	12.2 Terabyte	41.7 Terabyte
Data Uploaded	2.1 Terabyte	6.6 Terabyte
Total amount of Data used	**14.3 Terabyte**	**48.3 Terabyte**

Mr Weir asked the Minister for Regional Development how many unpaid penalty charge notices have resulted in court prosecution in each of the last five years.
(AQW 36426/11-15)

Mr Kennedy: Penalty Charge Notices are a civil matter and therefore no prosecutions have taken place.

Lord Morrow asked the Minister for Regional Development to detail (i) how many ash trees on the A4 were removed to prevent the spread of ash dieback; and (ii) the cost of the removal.
(AQW 36477/11-15)

Mr Kennedy: Penalty Charge Notices are a civil matter and therefore no prosecutions have taken place.

Mr G Robinson asked the Minister for Regional Development whether he will examine the provision of school crossing warning signs on Connell Street in Limavady at the drop off and pick up point for school children.
(AQW 36506/11-15)

Mr Kennedy: There is no school crossing patrol at this location and therefore erection of school crossing warning signs would not be appropriate. However, I note a large number of school children congregate in this area to wait for buses and I have therefore asked my officials to consider if any other signage would be appropriate and respond directly to you in due course.

Mr Easton asked the Minister for Regional Development how much Translink has in its reserves.
(AQW 36507/11-15)

Mr Kennedy: Based on the audited Translink group accounts at the year end 31st March 2014, total reserves and liabilities are £25.026m. This is not the same as current assets or cash and bank balances.

Mr Easton asked the Minister for Regional Development what is the cost to Transport NI of replacing a street light.
(AQW 36508/11-15)

Mr Kennedy: The cost of replacing a street light is dependent upon site-specific factors such as the extent of work required, location and type of road, and the type of equipment used.

However, the average cost of replacing the most commonly used type of street light, including the associated underground cabling, is approximately £1,650.

Mr Easton asked the Minister for Regional Development what is the cost to Transport NI of replacing a street light bulb.
(AQW 36509/11-15)

Mr Kennedy: The cost of replacing a bulb in a street light is typically in the range of £30 to £50. The actual cost will depend on the type and wattage of lamp required, and factors such as the lantern mounting height and traffic management arrangements.

Mr Easton asked the Minister for Regional Development whether Transport NI has a stock pile of street light bulbs.
(AQW 36510/11-15)

Mr Kennedy: I can confirm my Department carries a stock of the various types of lamps required for street lighting maintenance work carried out by Operation and Maintenance staff.

Mr Easton asked the Minister for Regional Development how many bus drivers are employed by Translink.
(AQW 36511/11-15)

Mr Kennedy: As at the 28 September 2014 Translink employed 1,813 full-time bus drivers.

Mr Weir asked the Minister for Regional Development for an update on the site of the former Donaghadee bus station.
(AQW 36529/11-15)

Mr Kennedy: The former Donaghadee bus depot is currently going through the D1 Land and Property Services (LPS) disposal process and LPS have formally valued the site. Two public sector bodies have shown initial interest and meetings have been held with them. Discussions are being progressed via LPS.

Mr Allister asked the Minister for Regional Development for a breakdown of the expenses paid to senior management in the Northern Ireland Water in the last twelve months.
(AQW 36538/11-15)

Mr Kennedy: The total expenses incurred for 8 senior managers in Northern Ireland Water for the last 12 months are £13,274. These expenses are set out in the table below. The 8 senior managers are made up of the Chief Executive and 7 NI Water Level 2 managers whose salary is analogous to NICS Grade 5 and above.

Mileage	£5214
Air fares	£3552
Rail, bus and boat fares	£184
Accommodation (GB & NI)	£82
Subsistence payments	£159
Excess Fares	
Car Parking	£556
Taxi fares, car hire	£214
Miscellaneous	£3313
Total	**£13,274**

Mr McAleer asked the Minister for Regional Development for an update on construction of the Strathroy Link Road, Omagh. **(AQW 36547/11-15)**

Mr Kennedy: The Strathroy Link Road is a requirement of planning consent associated with the development of the Lisanelly Shared Education Campus being taken forward by the Department of Education. The Department of Education has agreed to fund the majority of the project and will liaise with TransportNI throughout the planning stages to ensure the road is completed in time to allow the campus to open, as currently estimated, in September 2020.

The Strathroy Link Road is included in the Sub-Regional Transport Plan for the Omagh District Council area and its route corridor has been confirmed by completion of the Stage 1 Scheme assessment report. Further development work is ongoing and the geotechnical ground investigation is underway to help inform the detailed design of the carriageway and new bridge over the river Strule.

Consultations are underway with interested landowners/developers to acquire the land necessary for the project. Subject to the outcome of these negotiations, a vesting order may be published in early 2015.

It is anticipated construction will commence in the latter part of the 2016/17 financial year which would facilitate opening of the link road to traffic in 2018.

Mr Hazzard asked the Minister for Regional Development to detail the findings and conclusions from the recent 20mph road safety pilot study in Langley Road, Ballynahinch; and whether his Department has any plans to replicate the study elsewhere. **(AQW 36558/11-15)**

Mr Kennedy: Local consultation on the Langley Road, Ballynahinch proposal is ongoing and, subject to residents' support for the scheme, this will be followed by implementation of a Traffic Regulation Order. It is envisaged the pilot 20mph speed limit at Langley Road will be introduced early next year.

In addition, work is ongoing on five pilot schemes across Northern Ireland, all of which are at an early stage. It is therefore likely to be some time before any conclusions can be drawn from this exercise.

Lord Morrow asked the Minister for Regional Development what is the total expenditure to date on the upgrade of the A5 road. **(AQW 36585/11-15)**

Mr Kennedy: Details of expenditure to date on the A5 project, broken down by year, are provided in the table below:

Year	**Development Costs (£)**
2007/08	875,000
2008/09	8,350,000
2009/10	14,600,000
2010/11	11,395,000
2011/12	10,365,000
2012/13	12,329,000
2013/14	8,333,000
2014/15 spend to date (end of August 2014)	2,100,000
Total Development Cost	**68,347,000**

Year	Development Costs (£)
Land Costs	**2,360,642**
Overall Total	**70,707,642**

Lord Morrow asked the Minister for Regional Development to detail the land acquisition that has taken place as part of the development of the A5 road.
(AQW 36587/11-15)

Mr Kennedy: The Vesting Order for the A5WTC scheme became operative in September 2012 but this was subsequently quashed by the Courts in April 2013. At that point all affected lands returned to the original landowners.

During the short time period when the lands were in the ownership of the Department, five landowners made a request for 90% advance land compensation payments, as they were legally entitled to do. Payments were duly made to them. When ownership of the lands then returned to all landowners on 15 April 2013, I gave each landowner the option of either returning their 90% payments, or negotiating the sale of their lands to the Department by agreement. One landowner opted to return the money while negotiations to complete sales are continuing with the remaining four.

Lord Morrow asked the Minister for Regional Development for his assessment of the new traffic light controls and layout at the junction of the Killymeal Road and Killyman Road, Dungannon.
(AQW 36597/11-15)

Mr Kennedy: New traffic signals were introduced during the summer at the Killyman Road/Killymeal Road junction in Dungannon to replace a mini roundabout layout. The signals became operational on 23 July 2014 and have greatly improved pedestrian safety in the area through the provision of signal controlled crossing points.

The signals incorporate Microprocessor Optimised Vehicle Actuation to maximise the efficiency of the junction. Traffic modelling undertaken prior to the signalisation indicated that the junction would operate very efficiently on completion and observations at the site confirmed this to be the case during the summer months.

Since early September 2014, pedestrian and vehicle volumes at the site have increased dramatically and some reports have been received of increased peak hour journey times. It will always be the case that formally allocating more time towards improving pedestrian safety will reduce time available for vehicular movements through a junction and this becomes particularly evident when a mini roundabout, which has no formal pedestrian facilities, is replaced with traffic signals incorporating pedestrian phases.

I can however confirm that my Department's Traffic Management engineers and the signal supply company's design engineers have already been monitoring and adjusting the signal timings and phasing at this site with a view to ensuring the junction is operating as efficiently as possible. Further evaluation and adjustment to fine tune the signals will continue at the site over the next few weeks.

Mr Campbell asked the Minister for Regional Development to detail the change in the number of passengers using the bus and rail station in Coleraine since it opened.
(AQW 36599/11-15)

Mr Kennedy: The new integrated bus and rail facility at Coleraine opened in September 2001; however patronage statistics are only available from 2004.

From 2004 to 2014 the statistics for the combined bus and rail station in Coleraine show that overall footfall has increased from 1.04m to 1.51m. An increase of almost a third in 10 years. NIR accounts for a higher share of the footfall numbers overall but there has also been growth on bus numbers.

Patronage in 2013/14 shows a daily average of 4,155 passengers using the facility.

Mr Weir asked the Minister for Regional Development what plans his Department has to alleviate the parking problems in the Strand area of Holywood.
(AQW 36600/11-15)

Mr Kennedy: The Strand is typical of many residential areas in towns and cities where parking spaces are at a premium and where commuter parking is evident.

The Belfast Metropolitan Transport Plan identifies a number of areas of parking restraint where residents parking will be considered, including Bangor in the North Down area. Whilst Holywood is not specifically identified within the Belfast Metropolitan Transport Plan in this respect, I can confirm that a number of streets in Holywood have been added to a list of areas for future consideration, once all the areas identified within the Belfast Metropolitan Transport Plan have been addressed.

Legislation governing all Residents' Parking Schemes is currently being finalised with the Departmental Solicitor's Office and I can confirm that publication of Notices for the first batch of Residents' Parking Schemes, which are concentrated in Antrim,

Londonderry and within Belfast, is currently scheduled for autumn 2014, with the formal consultation stage following as soon as possible thereafter. Subsequently, scheme implementation will be dependent upon the outcome of the consultation process, particularly with regard to whether any objections are received.

These initial schemes, once implemented, are to be monitored for a period to gauge their success or otherwise. If these initial schemes prove to be successful, further consideration will be given to the development of schemes outside Belfast, including Holywood.

Mr Maskey asked the Minister for Regional Development who authorised the decision to withdraw parking enforcement from the Markets area of Belfast; and what was the rationale for this decision.
(AQW 36603/11-15)

Mr Kennedy: The waiting restrictions on Stewart Street are currently being reviewed and regularised and, as a result, Transport NI has instructed NSL to temporarily suspend enforcement on this street only.

Mr Weir asked the Minister for Regional Development for an update on the restoration of Portavoe reservoir.
(AQW 36711/11-15)

Mr Kennedy: NI Water's essential reservoir safety maintenance work at Portavoe Reservoir was completed in early August 2014, and since then the reservoir has been refilling naturally.

Over 400 live swan mussels were successfully returned to the reservoir on 5 August 2014 and the reservoir is to be stocked with fish in the New Year, in advance of the 2015 angling season. NI Water will continue to work closely with the Department of Culture Arts and Leisure and the Northern Ireland Environment Agency to monitor progress at the site.

Mr Dunne asked the Minister for Regional Development what plans are in place for gritting roads during periods of severe winter weather.
(AQW 36747/11-15)

Mr Kennedy: My Department is well prepared for the forthcoming winter season. Staffing arrangements are being finalised, pre-season checks on winter service equipment are almost complete and salt stocks have been replenished. From the end of October 2014, my Department will have approximately 300 personnel on standby ready to salt main roads. Contracts are also in place to enable contractors and farmers to help to clear roads during periods of prolonged snow.

In addition, my Department currently has arrangements with 25 of the 26 District Councils to salt city and town centre footways during times of prolonged ice and snow, and these councils will be contacted to ensure continuity of this service for the incoming winter season. My officials will be writing again to the remaining council to encourage it to come on board.

Mr Easton asked the Minister for Regional Development to detail the increases in bus fares over the last four financial years.
(AQW 36775/11-15)

Mr Kennedy: Bus fares have been frozen since May 2013 and were also frozen in 2011/12. The table below details the average increase in Translink bus fares over the last four financial years.

Year	Date of Fare Revision	Metro Average Increase	Ulsterbus Average Increase
2010/11	28.06.10	2.5%	2.5%
2011/12	N/A	0	0
2012/13	30.04.12	3.0%	3.0%
2013/14	06.05.13	3.0%	3.0%

Mr Easton asked the Minister for Regional Development to detail the increases in train fares over the last four financial years.
(AQW 36777/11-15)

Mr Kennedy: Rail fares have been frozen since May 2013 and were also frozen in 2011/12. The table below details the average increase in Translink train fares over the last four financial years.

Year	Date of Fare Revision	NI Railways Average Increase
2010/11	28.06.10	4%
2011/12	N/A	0
2012/13	30.04.12	3.0%
2013/14	06.05.13	5.0%

Mr Easton asked the Minister for Regional Development how many NI Railways trains are currently in storage.
(AQW 36842/11-15)

Mr Kennedy: NI Railways has no operational trains in storage.

One retired Class 450 train is being kept to provide engineering spares for support of NIR's Sandite train (a locomotive and carriage set which is used to apply Sandite to railhead to avoid wheel slip conditions during the Autumn).

In addition old MKII carriages for the Railway Preservation Society of Ireland in Whitehead remain in temporary storage in Lisburn station sidings.

Mr Weir asked the Minister for Regional Development whether there are plans to cut the budget for road gritting in winter 2014/15, as a result of current budget pressures.
(AQW 36876/11-15)

Mr Kennedy: As I advised the Assembly on 8 September 2014, it is my intention to protect winter services for the forthcoming season.

Mr Eastwood asked the Minister for Regional Development for an update on plans for a new Transport Hub at the former Waterside Train Station.
(AQW 36903/11-15)

Mr Kennedy: In March 2014 I announced a new project to develop plans for an integrated transport hub on the site of the Old Waterside Station in Londonderry, subject to securing the necessary funding.

The focus of the project subsequently has been on identifying funding and key partners.

My Department's European Programmes and Gateways Unit has engaged extensively with Special European Programmes Body (SEUPB) and officials in Scotland and the Republic of Ireland to explore the potential for the project to be funded through the new INTERREG VA Programme.

The Co-operational Programme Document is currently being formalised by the Commission and the first Call for Suitable Applications is planned to be in Spring 2015.

A number of meetings have been held with key bodies in the North-West including Derry City Council and ILEX and further meetings are planned with wider stakeholders in the coming months to further develop the detail of the project.

Mr McGlone asked the Minister for Regional Development for an update on the progress of the dualling of the Randalstown M22 to Castledawson section of the A6.
(AQO 6780/11-15)

Mr Kennedy: I am pleased to inform the Member that I am progressing the A6 Randalstown to Casteldawson dual carriageway scheme to be "shovel ready" in 2015.

The tender process commenced with the publication of a notice in the Official Journal of the European Union (OJEU) on 28 July 2014, seeking expressions of interest from contractors who wish to be considered to tender for construction of the scheme.

I hope to appoint a contractor early in 2015 in order to be in a position to commence works once the necessary funding is made available.

Mrs Hale asked the Minister for Regional Development whether the scheduled works for Lagan Valley will be affected by the current departmental funding restraints.
(AQO 6781/11-15)

Mr Kennedy: I am pleased to inform the member that my Department's Capital programmes, such as resurfacing schemes and minor works schemes, that have been scheduled for this financial year are unaffected by the current resource budget constraints.

Work in the Lagan Valley area is currently ongoing on a number of schemes including the A26 Moira Road near Chapel Road and Pond Park Crescent.

My Department intends to commence work on a number of other schemes in this financial year in the Lagan Valley area. These schemes include the A26 Moira Road near Lough Road, Thornleigh Drive, Old Kilmore Road and Halftown Road.

However, following the outcome of June monitoring, my Department is facing significant resource budget constraints. Regrettably, in order to live within budgets, I had no option other than to stop issuing new work instructions to our external contractors for routine maintenance work in Lagan Valley and right across Northern Ireland. This includes

- footway and carriageway patching;
- grass cutting/environmental maintenance;
- gully emptying;

- repair of street lighting outages
- road marking maintenance/renewal; and
- traffic sign maintenance/replacement.

My Department's Operations and Maintenance staff will endeavour to keep the road network in as safe a condition as possible and will be able to provide around three quarters of the resource previously available.

In relation to street lighting maintenance, Operations and Maintenance staff have limited street lighting resources and it will take longer to fix outages. They will endeavour to deal with group faults and single outages on a priority basis.

Work to deal with street lighting faults that cause an electrical hazard will remain unaffected and external contractors will continue to carry out this work.

Regrettably, my Department will not be able to provide the service the public would expect in normal circumstances.

Mrs Cochrane asked the Minister for Regional Development to outline the external contractor services that have been discontinued by Roads Service as a result of budgetary cuts.
(AQO 6788/11-15)

Mr Kennedy: As a result of the current budget shortfall I have had no option other than to stop issuing new work instructions to external contractors, who currently undertake around one quarter of our essential routine maintenance work. The areas affected include footway and carriageway patching, bridge maintenance, grass cutting and environmental maintenance, gully emptying, road marking maintenance and renewal and the maintenance and replacement of traffic signs. In addition, work instructions to external contractors for the repair of street lights that fail have been stopped.

My Department's Operations and Maintenance staff will endeavour to keep the road network in as safe a condition as possible. However, as they only have resources to complete around three quarters of the routine maintenance workload and around one quarter of the workload associated with the repair of street lights. They will not be able to provide the service the public would expect in normal circumstances.

These have been difficult decisions to take but are necessary in order to try and protect areas such as winter service, where withdrawal of our work could have an even greater impact on the Northern Ireland economy and the public.

I realise these measures will impact on our contractors, road users and the public, but I have to make best use of my Department's limited resources.

Mr Lyttle asked the Minister for Regional Development for an update on the cycling strategy.
(AQO 6789/11-15)

Mr Kennedy: I launched the draft Bicycle Strategy for Northern Ireland on 27 August 2014. The strategy will be subject to a twelve week period of public consultation, from 27 August 2014 to 21 November 2014.

My Department is actively engaging with stakeholders and the general public through a series of nine public consultation events, distributed across Northern Ireland:

- Cookstown
- Derry/ Londonderry
- Enniskillen
- Antrim
- Newry
- Ballymoney
- Portadown
- Belfast x2

Dates, times and locations of events have been widely publicised in the press and through social media.

I am also hosting the Northern Ireland – Changing Gear seminar on cycling in Belfast on Thursday 16th October in Belfast. The seminar is intended to contribute to peoples understanding of the approach to developing cycling in Northern Ireland that we are advocating in the draft Bicycle Strategy and I hope that this event will help us to begin the process of change.

Following the close of the public consultation process on the 21 November the Department will prepare and publish a Consultation Report outlining the Department's response to the issues raised by the end of 2014.

It is intended that the Bicycle Strategy for Northern Ireland will be finalised in early 2015.

I look forward to receiving your response to the consultation as I know you are a keen cyclist.

Mr G Kelly asked the Minister for Regional Development whether his Department has bid for any of the recently announced Innovation and Networks Executive Agency funding.
(AQO 6790/11-15)

Mr Kennedy: Officials from my Department are attending the information days relating to the most recent call for applications under the Trans European (Transport) Network programme.

It is intended to submit an application, or applications, prior to the closure of the bidding period in February 2015. This will, of course, be dependent upon the compatibility of call criteria with project proposals.

My department has been successful in drawing down approximately £32 million under the previous 2007-2013 TEN-T programme period.

Furthermore, as I recently announced, my department has been successful in an application for TEN-T funding towards the design studies for the proposed Multi-Modal Transport Hub.

Mr Elliott asked the Minister for Regional Development for an update on the proposed southern bypass at Enniskillen.
(AQO 6791/11-15)

Mr Kennedy: The Preferred Corridor associated with the A4 Enniskillen Southern Bypass was put on public display in July 2011, and the Stage 1 Scheme Assessment Report has also been available on my Department's website since 2011.

Since then various elements of work have progressed to assist the development of the preferred alignment including a preliminary geotechnical investigation, a detailed topographical survey and bathymetric (underwater) survey of the Erne river channel. Environmental walkover studies were also undertaken and work has commenced on a Flood Risk Assessment to demonstrate the effect of a new road on the surrounding area.

The Stage 2 report identifying the preferred alignment will be complete in late 2014. At that point I hope to be in a position to announce the publication of the findings of the report and the emerging preferred route.

Department for Social Development

Mr Copeland asked the Minister for Social Development to detail the number of (i) staff employed at each Appeals Service office; and (i) cases that each office has handled in the last twelve months.
(AQW 36155/11-15)

Mr McCausland (The Minister for Social Development): The Appeals Service has offices in Belfast and Omagh. The number of staff employed in the Belfast office is 96 and there are 46 staff employed in the Omagh office.

The number of appeals handled1 by each office is detailed in the table

Appeals Service Office	**01/09/2013 -31/08/2014**
Belfast Office	12,635
Omagh Office	7,120
Total	**19,755**

1 The number of appeals processed and disposed of in the 12 month period.

Mr Copeland asked the Minister for Social Development to detail (i) the differences in training between Administrative Assistant (AA) and Administrative Officers (AO) within his Department; and (ii) whether unpaid development opportunities for AA postholders have been delivered.
(AQW 36156/11-15)

Mr McCausland:

(i) The nature of training provided to support individual staff in undertaking their duties is determined by the nature of the role and the needs of individual members of staff undertaking the role. A role undertaken by a member of staff in the Administrative Assistant grade will be different from the role undertaken by a member of staff in the Administrative Officer grade and as such would entail different training requirements.

(ii) My Department has no record of unpaid development opportunities for AA postholders being delivered.

Mr Allister asked the Minister for Social Development how many Northern Ireland Housing Executive staff are also regarded as staff of the Strategic Investment Board or receive any remuneration from that source; and to detail the names of the staff.
(AQW 36300/11-15)

Mr McCausland: The Housing Executive has advised that when its Board recommended the recruitment of a Director of Transformation in 2013, it asked the Strategic Investment Board (SIB) for assistance in filling this temporary role. This request resulted in the employment by SIB of Ms Mags Lightbody in November 2013.

Upon the retirement of Dr John McPeake in March 2014, a selection process was undertaken from within the Housing Executive for an interim Chief Executive. Ms Lightbody was appointed to the role following that selection and reports directly to the Chairman of the Housing Executive, Donald Hoodless OBE.

No other staff working in the Housing Executive are employed by the Strategic Investment Board.

Mr Allister asked the Minister for Social Development what undertaking and commitment exists as to the number of housing units which will be provided following the demolition of approximately 250 homes in the mid-Shankill; and to detail the timescale of the works.
(AQW 36404/11-15)

Mr McCausland: The Lawnbrook Urban Renewal plans propose a put back of approximately 100 new social and private homes in this area of mid-Shankill. The first phase of 28 social homes is now complete with a second phase of 26 due for completion in November 2014.

Plans to develop the remaining land for private housing have been delayed because of the downturn in the housing market. The Housing Executive is currently working with Land and Property Services to gather housing market intelligence to help inform how best to develop the vacant land. This work is expected to complete by 31 December 2014. The Housing Executive will then engage with the local community and political representatives about the way forward.

Mr Allister asked the Minister for Social Development whether the decision of his predecessor that no further action needs to be taken in relation to his Special Adviser and his treatment of Councillor Jenny Palmer accords with the recommendation of the Department of Finance and Personnel's fact-finding investigator.
(AQW 36460/11-15)

Mr Storey: This was a matter for my predecessor who concluded that no further action was required and communicated his decision to the Social Development Committee.

Mr Campbell asked the Minister for Social Development what additional promotion will take place for the Boiler Replacement Scheme between now and the end of the scheme.
(AQW 36465/11-15)

Mr Storey: The six NIHE grants offices have a promotional plan specific to their areas. Types of promotions include publicity at local events, leaflet drops, posters and information on the Boiler Replacement Scheme issuing to local community groups, Councillors, MLAs, health centres, libraries and citizens advice.

The offices are continuing to be proactive by generating mail-shots to potential applicants and to those already in the system offering advice and requesting that any outstanding documents/information are submitted as soon as possible to ensure completion.

The scheme continues to be promoted in the local press and the local energy companies are promoting the scheme and publicising its imminent closure through their own advertising and mail-shots which has resulted in additional enquiries.

Mr Campbell asked the Minister for Social Development what progress Housing Associations have made in identifying locations to meet housing demand in Coleraine.
(AQW 36466/11-15)

Mr Storey: The Housing Executive has determined a need for 150 new homes in Coleraine Town over the five year period 2013/14 to 2017/18. There are currently 20 dwellings under construction at Harpurs Hill with a further 106 planned for 2014/15 and 2015/16. These planned schemes are as follows:

- Chapelfield, Laurelhill Road, Coleraine (Apex) - 18 units to start 2014/15
- Laurelhill, Coleraine (Fold) - 28 units to start 2014/15
- 55 Mountsandel Road, Coleraine (Fold) - 5 units to start 2014/15
- Society Street, Coleraine (Fold) - 22 units to start 2015/16
- Captain Street, Coleraine (Habinteg) - 22 units to start 2015/16
- 31a Hazelbank Road, Coleraine (Apex) - 11 units to start 2015/16

Recognising the shortfall the Housing Executive has been actively engaged with housing associations over the past twelve months and a number of additional sites have been identified. These are currently being considered for entry to the new social housing programme, which will come forward to me in December for approval. At that point, the full extent of the new programme will be confirmed.

Mr Campbell asked the Minister for Social Development for his assessment of whether the departmental target, set by his predecessor, for the provision of double glazing in Housing Executive properties by 2015, will be met.
(AQW 36469/11-15)

Mr Storey: The Housing Executive currently estimates that around 7,360 dwellings require double glazing installation this year in order to meet the Programme for Government (PfG) target. To date this year the Housing Executive has started schemes for 2,845 of these dwellings. The Housing Executive is confident that all of the schemes that are required to meet the PfG target will start on site this year. However, there are a number of schemes currently programmed to start in the last quarter of 2014/15 and the Housing Executive is working with the double glazing contractors to ascertain if these can be advanced in order to have the installation works completed by March 2015.

Mr Swann asked the Minister for Social Development, pursuant to the results detailed in Phase 1 of AQW 35943/11-15, whether his Department is unable to fund the Coleraine Education Project after October 2014.
(AQW 36480/11-15)

Mr Storey: The Coleraine Education Community Project is a worthwhile project that successfully links nine schools in Coleraine that work with or have large number of pupils from the two Neighbourhood Renewal Areas of Coleraine East (Ballysally and Millburn) and Coleraine West (The Heights and Killowen) and the project will continue to receive funding up to 31 March 2015.

Mr Swann asked the Minister for Social Development, pursuant to AQW 35448/11-15 and AQW 36059/11-15, to detail the status under which the people who are living in the houses in the developments at (i) St Patrick's Barracks, Ballymena; and (ii) PSNI Kells; and whether his Department still views the developments as being under construction.
(AQW 36481/11-15)

Mr Storey: The Department's previous answer in relation to the list of schemes still under construction was made in the context that schemes are not considered officially complete until the relevant housing association submits its completion documentation to the Housing Executive and the final payment of grant is made.

Where St Patrick's Barracks, Ballymena and PSNI, Kells are concerned there has been a delay in the housing associations sending in this documentation, even though both schemes have been allocated and are fully occupied.

The applicants in both developments were allocated from the Common Waiting List after having been assessed in accordance with the rules of the Housing Selection Scheme.

Ms Sugden asked the Minister for Social Development what communication his Department has had with universities to put mechanisms in place at the end of the academic year to encourage students to ensure their tenancy deposits are protected.
(AQW 36493/11-15)

Mr Storey: Since the introduction of the Tenancy Deposit Scheme, on 1 April 2013, my Department has been engaged in an information campaign on the protection of tenancy deposits, including communication with universities.

In July 2013 the Department wrote to all of the universities asking them to include Departmental guidance on tenancy deposit protection on each of their websites. In recent weeks each university and college has received information about the scheme. My officials have also been present at university fresher's weeks to encourage students at the beginning of the academic year to check that their landlord has protected the deposit with an approved tenancy deposit scheme administrator. Students living in the private rented sector are being advised that their landlord should have protected the deposit within 14 of receiving it and provided them with prescribed information within 28 of receiving the deposit. Where a landlord has failed to comply with these requirements then tenants are being encouraged to report this to their local council environmental health department who are responsible for enforcing the scheme requirements.

These steps are in addition to the publicity that each tenancy deposit scheme administrator undertakes individually.

Ms Sugden asked the Minister for Social Development what steps his Department is taking to address low literacy and numeracy levels in East Londonderry, as part of a wider strategy to address educational underachievement amongst young people.
(AQW 36496/11-15)

Mr Storey: My Department's Urban Regeneration and Community Development Policy Framework sets out the overarching structure and direction for the delivery of all urban regeneration and community development activity in NI. In particular it will tackle area-based deprivation and inequalities in areas such as educational underachievement amongst young people to reduce the gaps between disadvantaged communities and the rest of NI.

The Department, through its Neighbourhood Renewal Investment Fund, may support projects that are designed to address educational underachievement where a priority need has been identified and where resources are available. The following projects in Coleraine and Limavady are examples of this:

- Coleraine Education Community Project
- Ballysally Integrated Nurturing Project
- Skills Development & Education Programme
- Churchlands Community Supporting Families through Learning
- Millburn Community Development Worker

- Enjoying Learning and Achieving in Limavady, and
- DRIVE (Developing Relationships in Vulnerable Environments) Project.

Mrs Dobson asked the Minister for Social Development how many people have bought their homes from the Northern Ireland Housing Executive in each of the last three years.
(AQW 36549/11-15)

Mr Storey: The Housing Executive has advised that the number of house sales in each of the last three years is as follows: -

- 2011/12: 167
- 2012/13: 185
- 2013/14: 379

Mr Swann asked the Minister for Social Development for his assessment of the developments listed in AQW 35449/11-15.
(AQW 36559/11-15)

Mr Storey: The two schemes previously listed are:

Balnamore, Ballymoney - Ark Housing submitted a planning application for three units on 15 September 2014 and is currently progressing the land transfer process from the Housing Executive, with a target to start construction before the end of March 2015.

Garryduff Road, Ballymoney - Triangle Housing is progressing plans for re-improvement of a former care home to provide nine units of accommodation for clients with learning disabilities. Also, Triangle is now considering an option to include a number of new housing units for active elderly on the site. A planning application will be made shortly. Whilst Triangle Housing is still aiming to start construction work before the end of March 2015, given the planning application has yet to be made and the scheme will be bigger than first envisaged, it may be that construction start will slip into 2015/16.

Mr Spratt asked the Minister for Social Development for an update on the provision of new family housing in (i) the redevelopment area of the Village; and (ii) Sandy Row in South Belfast.
(AQW 36568/11-15)

Mr Storey:

(i) In the Village, Fold Housing Association has completed the first two phases of redevelopment comprising 87 new family homes. A third phase of 27 new homes is currently under construction, with completion planned for late 2015. Fold is also engaged in a rehabilitation scheme to bring 22 existing properties up to modern standards. Nine are already complete, with the remaining 13 planned to complete in spring 2015.

Plans to develop a phase 4 new build, which has been earmarked for 159 private homes, have been delayed because of the downturn in the housing market. The Housing Executive is currently working with Land and Property Services to gather housing market intelligence to help inform how best to develop the vacant land. This work is expected to complete by 31 December 2014. The Housing Executive will then engage with the local community and political representatives about the way forward.

(ii) In Sandy Row, Helm Housing completed 18 new social homes on Albion Street in 2012/2013. There are no further schemes programmed.

Mr Allister asked the Minister for Social Development when will the Northern Ireland Housing Executive Gateway 5 Review be published; and whether he will place a copy in the Assembly Library.
(AQW 36617/11-15)

Mr Storey: A copy of the OGC Gateway Review 5: Operations review and benefits realisation report in relation to the Housing Executive's response maintenance contracts was provided to the Social Development Committee on 22 August 2014.

The Housing Executive has advised that, whilst it is not standard practice for Gateway Reviews to be published, copies of the review can be made available on request to the Housing Executive. I will also arrange for a copy to be placed in the Assembly Library.

Mr Weir asked the Minister for Social Development for an update on the progress, including the projected timescale, for the transfer of neighbourhood renewal to local governments.
(AQW 36647/11-15)

Mr Storey: The Executive has agreed that responsibility for urban regeneration and community development would transfer to the Councils under the Reform of Local Government with effect from 1 April 2015.

However, in order to transfer that responsibility, I require Executive approval to introduce the Regeneration and Housing Bill to the Assembly. The draft Bill provides for powers currently available to my Department to be conferred on Councils to allow them, where necessary, to address issues related to social need and to take forward regeneration within their areas. The draft Bill has not yet been agreed by the Executive and I am working to secure the necessary approval as soon as possible.

As you are aware from April 2015 Councils will be free to take decisions about how they address urban regeneration and community development. They will have to do that within the community planning process that identifies the long term objectives for improving social, economic and environmental well being of their communities.

My officials continue to work closely with the Councils to assist them in putting in place effective arrangements to meet the needs of their communities. My Department is in the final stages of evaluating the Neighbourhood Renewal Strategy and officials are continuing to review all existing contracts. Councils will be provided with the outcome of these reviews to enable them to take informed decisions about the arrangements they wish to put in place.

Mr I McCrea asked the Minister for Social Development to outline the duration of the Women's Centre Childcare Fund.
(AQW 36650/11-15)

Mr Storey: The Women's Centres Childcare Fund (WCCF) was introduced in 2006, as an emergency package, to provide funding to 14 Women's Centres. Contracts have been issued for 2014/15.

Future funding across all DSD programmes has not yet been determined therefore I cannot give an indication of the future duration of the WCCF.

Mr I McCrea asked the Minister for Social Development to outline the criteria for groups to apply for the Women's Centre Childcare Fund.
(AQW 36651/11-15)

Mr Storey: The Women's Centre Childcare Fund is not currently open for applications.

Mrs D Kelly asked the Minister for Social Development to detail the budget that will transfer to local councils to provide grants for the voluntary and community sector; and whether there are any proposed cuts to the budget.
(AQW 36657/11-15)

Mr Storey: The budget due to transfer from my Department to Local Councils is currently in the region of £66 million pounds which includes a significant amount of support for the range of services delivered by the voluntary and community sector. Also included within the overall amount to transfer is funding for physical/capital projects, and awards to other service providers including Government Departments and statutory agencies, to deliver projects and programmes for the benefit of communities across Northern Ireland.

Once the functions have transferred, it will be for Councils and their locally elected representatives to decide how best to address the needs of their areas through their respective Community Plans. Whilst Councils will be required to have regard for the Urban Regeneration and Community Development Framework, which has been shared with them, there is no obligation on Councils to deliver programmes or support any groups, including those within the voluntary and community sector, in the same way that my Department currently does.

Each of the Councils has been apprised of their indicative allocation via a Financial Allocation Model developed by my Department; based on a collaboration of socio-economic need and population estimates. Final amounts to transfer remain to be determined and ultimately will be informed by the outcome of the Executive's 2015/2016 budget process. Accordingly, to help ensure prudent planning, Councils have been made aware that the overall budget to transfer may be subject to efficiency savings.

Mr Allister asked the Minister for Social Development, in relation to the reference at page 15 of the Northern Ireland Housing Executive's (NIHE) Draft Corporate and Business Plans to Savills' housing stock condition survey of NIHE stock in 2009 having "recently been revisited", to detail (i) when; (ii) how it happened; and (iii) the outcome of the survey.
(AQW 36676/11-15)

Mr Storey: As part of the Social Housing Reform Programme information and research gathering process there was a desk top review of the NIHE 2009 Stock Condition. In relation to the member's question (i) the review was undertaken in November 2013, (ii) this was by means of a consultancy commission, (iii) the key findings were summarised in pages Page 15 and 16 of the Northern Ireland Housing Executive's (NIHE) Draft Corporate and Business Plan. Further detail is provided in the paper issued to the Social Development Committee on 01.05.14, entitled 'Future Income and Expenditure Requirements of the NIHE landlord Function'.

Mr Boylan asked the Minister for Social Development for an update on when his Department will provide funding to the Armagh Neighbourhood Renewal Area.
(AQW 36707/11-15)

Mr Storey: The Department has provided funding of approximately £4.5M to the Armagh Neighbourhood Renewal Area for the period up to 31 March 2014. Projects to a value of £473,822 are ongoing in the current financial year.

Mr Boylan asked the Minister for Social Development to detail the date of the (a) most recent; and (b) next inter-departmental meeting on neighbourhood renewal.
(AQW 36708/11-15)

Mr Storey: The last inter-departmental Ministerial Group on Neighbourhood Renewal was held on 3rd October 2013 and the final meeting is due to be held on 27th November 2014 which as agreed should coincide with the publication of the evaluation of the Neighbourhood Renewal Strategy.

Mr Dunne asked the Minister for Social Development for an update on the number of properties which are still to benefit from the window replacement scheme in Bangor during the 2014/15 financial year.
(AQW 36742/11-15)

Mr Storey: The Housing Executive has advised that they will install double glazing to the 243 remaining single glazed dwellings in Bangor in a scheme which is due to start this month.

Mr Dunne asked the Minister for Social Development for an update on the number of properties which are still to benefit from the window replacement scheme in Donaghadee during the 2014/15 financial year.
(AQW 36744/11-15)

Mr Storey: The Housing Executive has advised that the remaining 173 single glazed properties in Donaghadee are included in the Ards double glazing mop up scheme which went on site on 18 August 2014.

Mr Allister asked the Minister for Social Development why £3.35bn appears within the Strategic Investment Board's Business Plan 2014-15 in respect of the Housing Reform Programme; and whether it refers to the acquisition of Northern Ireland Housing Executive's stock.
(AQW 36756/11-15)

Mr Storey: The £3.35 billion is an estimate of the value of the assets of the Northern Ireland Housing Executive and appears in Appendix H of the Strategic Investment Board's 2014-15 Business Plan. This is because an estimate of relevant capital value accompanies all programmes and projects that are listed. Therefore there is no reference to the acquisition of the Northern Ireland Housing Executive's stock

Mr Boylan asked the Minister for Social Development for an update on the process of abandonment of the steps leading to The Tunnel area of Armagh; and when he expects this stage of the redevelopment programme to conclude.
(AQW 36774/11-15)

Mr Storey: The Armagh Neighbourhood Renewal Action Plan includes an environmental improvement project which involves the abandonment of the steps in question. The project is being developed by Armagh City and District Council and I understand it is engaging with Roads Service as regards the abandonment process. In this respect, therefore, Council is best placed to provide an update on the current position.

Mr Allister asked the Minister for Social Development whether his Department is the regulator for housing associations in Northern Ireland, which is also the registration, funding and policy making body for social housing; and if so, whether this is a conflict of interest.
(AQW 36790/11-15)

Mr Storey: My Department undertakes the function of the regulator for Registered Housing Associations in Northern Ireland. Registration, regulation and inspection are the responsibility of the Governance and Inspection Team within Housing Group. Responsibility for funding for the social housing development programme has been devolved to the Development Programme Group within the NIHE. The team responsible for policy making in relation to social housing investment is the Housing Investment Team within Housing Group. I am satisfied that these arrangements are sufficient to prevent a conflict of interest.

You will be aware that the whole area of regulation will be reviewed as part of the Social Housing Reform Project.

Mr McKay asked the Minister for Social Development whether he will review the policy whereby the Housing Executive only replace oil fired central heating systems after fifteen years, taking into account the impact older systems that regularly break down can have on the health of older people.
(AQW 36832/11-15)

Mr Storey: The Housing Executive's current Maintenance Investment Strategy covering the period to March 2015 provides for the replacement of boilers after 15 years. This policy is supported by fully servicing annually, leaving each installation in full working order. However, in the event of a breakdown, the Housing Executive's heating response maintenance contractors respond within 24 hours.

The Housing Executive has further advised that a stock condition survey is currently being carried out by Savills which will help them formulate a new five year Maintenance Investment Strategy and an Asset Management Strategy.

Mrs D Kelly asked the Minister for Social Development whether he will protect his Department's budget for women's aid/ refuge services.
(AQW 36838/11-15)

Mr Storey: The Supporting People grant makes provision for housing support to be delivered by 9 Women's Aid providers in Northern Ireland with a total of £6.7m invested representing 9% of the total grant allocation.

The Supporting People grant for financial year 2014/2015 has been approved

for £74m to ensure housing support services are maintained across all housing schemes.

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.

Mrs D Kelly asked the Minister for Social Development whether the Northern Ireland Housing Executive has any plans to offer Voluntary Exit Redundancy packages in the near future for current staff.
(AQW 36839/11-15)

Mr Storey: The Housing Executive is working on a Business Case, for submission to the Department for Social Development, for the voluntary early release of officers in order to assist the Housing Executive with its Transformation Programme. The Business Case will be subject to the approval of DSD and DFP.

Mr Beggs asked the Minister for Social Development to detail the number of people who have been awarded mobility allowance, broken down by level of allowance, in each of the last three years.
(AQW 36851/11-15)

Mr Storey: The table below shows the number of Disability Living Allowance claimants who have been awarded the Mobility Component of Disability Living Allowance during the last three financial years.

Financial Year	*DLA High Rate Mobility Awards	*DLA Low Rate Mobility Awards
2011/2012	4,600	6,200
2012/2013	4,330	5,980
2013/2014	4,300	6,130

* Figures have been rounded to the nearest ten.

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 Copeland asked Minister for Social Development, pursuant to AQW 36666/11-15, to detail the obligations which were placed on Capita and his Department in the contract; and what estimations his Department has made in relation to the level of compensation.

(AQW 36981/11-15)

Mr Storey: The contract was signed in good faith by both parties to enable the delivery of Personal Independence Payment assessments. The contractual obligations placed on Capita include the organisation and management of an end to end assessment process including the delivery of a specified number of individual assessments. To enable this they are required to provide the necessary supporting infrastructure and workforce to deliver the Personal Independence Payment Assessment Service in Northern Ireland. The Departments obligations mainly relate to activities to facilitate Capita in meeting the service outcomes of assessment including activities such as approving health professionals, as well as contract management and financial responsibilities.

The contract contains a series of legal remedies in the event of either party breaching their obligations. Until there is clarity around the progression of the

Welfare Reform Bill, my Department is not in a position to provide any detail on the outcome of these contractual provisions. Should the Welfare Reform Bill (NI) 2012 not progress, then there will be a need for discussions between the legal and commercial teams from the Department and Capita. In line with my answer to AQW 36666/11-15 any outcomes can only be determined once those legal and commercial discussions have been concluded with Capita. However it is clear that the current delays in progressing welfare reform could impact the approach and risk premiums of major suppliers in future contracts with Northern Ireland.

Lord Morrow asked the Minister for Social Development, pursuant to AQW 36137/11-15, to detail the number of Disability Living Allowance applications that were declined after a medical examination was completed.
(AQW 37006/11-15)

Mr Storey: The table below shows the total number of Disability Living Allowance (DLA) applications refused where an Examining Medical Practitioner report has been sought by the Decision Maker when determining the Disability Living

Allowance application. The variations in numbers will be due to the nature and type of Disability Living Allowance applications received in any particular year.

Year	Total Number of DLA Applications Refused (EMP Report available)
2011/12	836
2012/13	1480
2013/14	914

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 Clarke asked the Minister for Social Development, given his predecessors positive response in relation to supporting the most vulnerable, and the on-going campaign to 'Keep Supporting People', for his assessment of the future funding of the programme.
(AQW 37011/11-15)

Mr Storey: The Supporting People budget for 2014/2015 is approved for £74m and will make provision for housing support services to be maintained. The budget for 2015/16 is under discussion and I have no further information at this time.

Mr McKay asked the Minister for Social Development how many double glazing units remain to be installed; and whether he is on course to meet the target set out in the Programme for Government 2011/15.
(AQW 37047/11-15)

Mr Storey: The Housing Executive currently estimates that around 7,360 dwellings require double glazing installation this year in order to meet the Programme for Government (PfG) target. To date this year the Housing Executive has started schemes for 2,845 of these dwellings. The Housing Executive is confident that all of the schemes that are required to meet the PfG target will start on site this year. However, there are a number of schemes currently programmed to start in the last quarter of 2014/15 and the Housing Executive is working with the double glazing contractors to ascertain if these can be advanced in order to have the installation works completed by March 2015.

Northern Ireland Assembly

Friday 17 October 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr G Kelly asked the First Minister and deputy First Minister what financial resources have been allocated to deliver the Together Building United Communities programme.
(AQO 4774/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): In addition to the £36 million allocated to good relations work in the current CSR period a further £5.4 million has been allocated from the 2014 June Monitoring round to OFMDFM, DCAL and DOJ to support the delivery of the Together: Building a United Community Strategy. This shows the commitment of the Executive to ensure the delivery of the actions and commitments contained in the Together: Building a United Community strategy.

Senior Responsible Owners have been appointed for each of the senior headline actions and are working to produce indicative costs, establish realistic cost profiles and identify funding sources which will inform our decisions on the way forward and the funding required.

Mr Lyttle asked the First Minister and deputy First Minister to account for the late distribution of Good Relations funding in 2013/14; and for an update on the 2014/15 distribution process.
(AQW 33332/11-15)

Mr P Robinson and Mr M McGuinness: The new Central Good Relations Fund 2013/14 was opened for applications when all necessary Departmental approvals were in place and funding could be distributed. A high number of applications were received and these had to be assessed. The applications were considered and applicants were advised as quickly as possible regarding decisions.

The 2014/15 Central Good Relations Funding scheme closed for applications on 10 February 2014. Again, there was a very significant demand for funding. Funding will be released in phases and to date over £1m of funding has been approved for priority projects. Our commitment to the delivery of Together: Building a United Community is clearly demonstrated through the decision to use the outcome of the June Monitoring round to increase funding to the Central Good Relations Fund by £300,000. Successful applicants in this tranche have already been contacted. We are considering further releases dependent on availability of funding throughout the remainder of this year.

We updated applicants regarding progress with the 2014/15 scheme on 24 March 2014 and 6 May 2014.

Mr Lyttle asked the First Minister and deputy First Minister for an update on the delayed release of Good Relations Funding to non-governmental organisations for the 2014/15 financial year.
(AQW 33887/11-15)

Mr P Robinson and Mr M McGuinness: The 2014/15 Central Good Relations Fund (CGRF) closed for applications on 10 February 2014. There was a very significant demand for funding. Funding will be released in phases throughout the year and to date over £1m of funding has been allocated. Our commitment to the delivery of Together: Building a United Community is clearly demonstrated through the decision to use the outcome of the June Monitoring round to increase funding to the Central Good Relations Fund by £300,000. Successful applicants in this tranche have already been contacted.

It should be noted that the CGRF is a small central scheme designed to distribute funding in year to support project delivery. We primarily fund good relations work through the Community Relations Council and the District Council Good Relations Programme. The fund does not and will not replace mainstream core or project funding.

Mr Allister asked the First Minister and deputy First Minister how the needs of victims/clients of the Victims and Survivors Service are independently assessed; and what changes have occurred in this process and the reasons for this.
(AQW 35545/11-15)

Mr P Robinson and Mr M McGuinness: All applications received by the Victims and Survivors Service (VSS) either from individuals or from groups are assessed against eligibility criteria to identify the needs of the client/group.

As a result of the Independent Assessment of VSS and following consultation with the Commission for Victims and Survivors and the Department, the assessment process has been simplified to allow Victims and Survivors better access to the support offered by VSS.

Mr Allister asked the First Minister and deputy First Minister to detail the overheads of the Victims and Survivors Service in 2013/14, including (i) how this is broken down; and (ii) its proportion of their total budget.
(AQW 36206/11-15)

Mr P Robinson and Mr M McGuinness:

Expenditure	**£**
Staff Costs	1,357,913
Programme Costs	10,695,068
Operating Costs	774,699
Total Expenditure	**12,827,680**

It is not possible to provide a further breakdown of operating costs until the accounts have been audited by the Northern Ireland Audit Office.

Mr Allister asked the First Minister and deputy First Minister to detail the procedures and policies in place within the Victims and Survivors Service in respect of delivering clients details to outside bodies; and what security vetting is in place in relation to any such conveyance of information to such bodies.
(AQW 36297/11-15)

Mr P Robinson and Mr M McGuinness: The Victims and Survivors Service complies with Departmental guidance in respect of Information Security.

Mr Campbell asked the First Minister and deputy First Minister to detail the total estimated cost of the Historical Institutional Abuse Inquiry.
(AQW 36467/11-15)

Mr P Robinson and Mr M McGuinness: The Historical Institutional Abuse Inquiry has been carefully planned and costed to ensure that it meets the needs of victims and survivors and fulfils its Terms of Reference.

The current estimated cost of the Inquiry is £15.7 million. The financial implications for the 12 month extension requested by the Inquiry chairperson are presently under consideration.

Mr Lyttle asked the First Minister and deputy First Minister when a final analysis of the responses received for Delivering Social Change for Children and Young People will be published.
(AQW 36518/11-15)

Mr P Robinson and Mr M McGuinness: The final analysis of the responses received following a public consultation of the Delivering Social Change for Children and Young People Consultation document was published on the OFMDFM website on 29 September 2014.

These can be downloaded at the link below:

- Delivering Social Change for Children and Young People Strategy – summary and analysis of consultation responses (PDF 1.45MB)

Mr Lyttle asked the First Minister and deputy First Minister when the child poverty strategy will be laid in the Assembly.
(AQW 36520/11-15)

Mr P Robinson and Mr M McGuinness: We are aiming to lay the Child Poverty Strategy 2014-2017 in the Assembly this Autumn.

Mr Lyttle asked the First Minister and deputy First Minister whether their Department has sought advice from the Social Mobility and Child Poverty Commission on the child poverty strategy, as per Section 13 of the Child Poverty Act 2010.
(AQW 36608/11-15)

Mr P Robinson and Mr M McGuinness: The Welfare Reform Act 2012 amended the Child Poverty Act 2010 to create the Social Mobility and Child Poverty Commission. The Welfare Reform Act repealed Section 13 (1) – (2) of the Child Poverty Act 2010 which required Northern Ireland Ministers, in preparing a strategy, to request the advice of the Child Poverty Commission and to give it due regard.

Mr Lyttle asked the First Minister and deputy First Minister why there has been a failure to reference the seventh Delivering Social Change Signature Programme; and whether they will ensure that the Play and Leisure Signature Programme is given equal standing with the other Signature Programmes.
(AQW 36695/11-15)

Mr P Robinson and Mr M McGuinness: In October 2013, Junior Ministers announced a potential £1.6m investment over three years, through a seventh Delivering Social Change (DSC) signature programme, to enhance play and leisure opportunities for children and young people. It is proposed that the Signature Programme would support new sustainable opportunities for play; raise awareness of the importance of play and ensure play is considered in the provision of local services.

The Play and Leisure Signature Programme has the same status as the other Signature Programmes and progress is monitored by the DSC Programme Board which is chaired by Junior Ministers. In liaison with sectoral experts significant work is currently underway to develop the Programme. Given the pressures on Departmental budgets across the Executive consideration is being given to a range of potential actions and the most appropriate method of delivery.

Mr Copeland asked the First Minister and deputy First Minister what engagement their Department has had with Fusion 21 in each of the last two years, including (a) the dates of meetings; (b) the purpose of each meeting; and (c) and who was in attendance at each meeting.
(AQW 36827/11-15)

Mr P Robinson and Mr M McGuinness: OFMDFM has not had any engagement with Fusion 21 in the last two years.

Mr Lyttle asked the First Minister and deputy First Minister to detail the number of times the Delivering Social Change Programme Board has met since its inception.
(AQW 36852/11-15)

Mr P Robinson and Mr M McGuinness: Since its inception the Delivering Social Change Programme Board has now met on a total of 15 occasions.

The first Board meeting took place on 2 April 2012, with the most recent meeting being held on 3 September 2014.

Mr B McCrea asked the First Minister and deputy First Minister why their Department's capital reduced requirements for 2014/15 have totalled £5.5m.
(AQW 37085/11-15)

Mr P Robinson and Mr M McGuinness: In June Monitoring the Department declared two easements in Capital totalling £5.498m:

1. Maze/Long Kesh Development Corporation (MLKDC) surrendered £3.843m; and
2. Ilex Urban Regeneration Co Ltd (Ilex) surrendered £1.655m, as the Ilex Car Park project was brought forward to 2013/14 financial year thereby releasing funding in 2014/15 financial year.

The easements were made at the earliest opportunity to help aid the effective management of the overall expenditure position across the NI Block.

Mr G Kelly asked the First Minister and deputy First Minister what progress is being made in the Together: Building a United Community strategy.
(AQO 6750/11-15)

Mr P Robinson and Mr M McGuinness: Work is progressing across all seven headline actions that were announced alongside the publication of Together: Building a United Community.

The Department of Education received 16 expressions of interest in relation to the establishment of 10 Shared Campuses and announced the first three successful projects on 2 July. A second call for applications will issue shortly.

In respect of the United Youth Programme, a very successful Design Day was held on 23 January to mark the culmination of an extensive period of stakeholder engagement and the event attracted an attendance of more than 250 people and all of the feedback collected from that event will be used to build the final programme design. A design team has now been established to take forward development of the next stage of the Programme. Stakeholder engagement is ongoing with a view to commencing the pilot phase in January 2015.

With regard to summer schools, a number of summer schools and camps have already taken place during the summer of 2014 and further schemes are scheduled for the Halloween mid-term break. An evaluation of these schemes will be used to develop 100 summer schools and camps for the summer of 2015.

In relation to urban villages, stakeholder engagement is ongoing regarding the development of the first two locations, announced as the Lower Newtownards Road and Colin Town Centre.

Detailed project plans complete with anticipated budgets have also been developed in respect of shared neighbourhoods, interface removal and cross-community sports programme headline actions.

Work is progressing with the establishment of the Equality and Good Relations Commission and the associated underpinning legislative changes required.

Within the strategy, we had committed to commissioning a Review of Funding and Practice – this was carried out in two stages. Phase one was completed at the end of March with phase two coming to an end on 25 June. Work is continuing in finalising the report which will contain recommendations on a future funding delivery model that will support the strategic direction of Together: Building a United Community.

Work is continuing with departments to take forward work in relation to the other actions and commitments arising from the strategy.

We are convinced that a strategy of this depth and scale requires collective commitment and leadership across all departments and sections of our society. The Ministerial Panel and thematic subgroups will be central to achieving this. Work on establishing the range of subgroups is at an advanced stage and the Ministerial Panel has met on two occasions, 16 December 2013 and 2 October 2014.

The reporting mechanisms necessary to monitor progress on implementation of a strategy of this importance have been developed. The progress updates will inform a more substantive progress report on all aspects of the strategy's delivering for each Ministerial Panel meeting.

Mr P Ramsey asked the First Minister and deputy First Minister for an update on the work of the One Plan Interdepartmental Coordination Group.
(AQO 6629/11-15)

Mr P Robinson and Mr M McGuinness: The Interdepartmental Co-ordinating Group provides strategic analysis and advice to the Executive, other departments and the One Plan Strategy Board on the most appropriate means through which Executive policies, programmes and projects can positively impact on the themes and programmes identified in the One Plan.

The Group also monitors progress and provides a forum for the discussion and resolution of cross-cutting issues that affect more than one department.

The Interdepartmental Group meets formally twice a year with the next meeting scheduled in October.

Progress continues to be made on the implementation of the One Plan across each of the Catalyst Programmes to grow the local economy and provide more jobs.

Department of Agriculture and Rural Development

Mr Moutray asked the Minister of Agriculture and Rural Development what plans he has to re-open the café in Tullymore Forest Park.
(AQW 36741/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): My Department is committed to working in partnership with organisations and local government to secure a more diverse range of facilities and attractions in our forests in line with local and regional recreation and tourism strategies.

A Memorandum of Understanding is in place between my Department's Forest Service and Down District Council for the development of recreation and leisure products in forests in the Council area.

Significant benefits have already been delivered in the Down council area with the development of cycling and walking trail provision in Castlewellan Forest Park.

In continuation of this, Down District Council is pursuing the most appropriate and sustainable end use for the range of buildings at Tollymore and Castlewellan Forest Parks including the old cafe building at Tollymore Forest. In this regard they have commissioned a study to investigate a range of options, and my officials in Forest Service will continue to work with the council in the development of their plans.

Mr B McCrea asked the Minister of Agriculture and Rural Development how much the Agri-Food and Bioscience Institute has paid in the last year to use its site at Newforge; and what percentage of this site is currently in use.
(AQW 36752/11-15)

Mrs O'Neill: The lease charge payable by AFBI to my Department for use of the Newforge site in 2013/14 was £2,216,303. This included a rental charge of £1,500,000 and a maintenance charge of £716,303. The rental charge was advised by Land and Property Services and the maintenance charge reflected actual spend in the previous year.

The entire Newforge site is leased by DARD to AFBI and 100% of the site is available for use. There are areas within a number of buildings which are not utilised on a full-time basis. However, a percentage figure for site usage is not available.

Mr McCallister asked the Minister of Agriculture and Rural Development what action her Department is taking to ensure that farmers negatively affected by EU trade sanctions with Russia gain access to the European Commission's compensation scheme.
(AQW 36760/11-15)

Mrs O'Neill: The European Commission introduced a number of measures in response to the Russia import ban on food from the EU. It is a matter for those eligible for these schemes to decide whether they want to participate.

Of the measures introduced only one, a package for perishable fruit and vegetable market support, offers compensation directly to farmers and producer groups.

My officials have been in contact with local fruit and vegetable stakeholders who have communicated the view that this ban has not directly impacted on prices for local fruit and vegetable produce to date. Therefore, at this time the Department does not intend to participate in the fruit and vegetable scheme but will continue to review the situation going forward.

Mr Copeland asked the Minister of Agriculture and Rural Development to detail the range of budgetary pressures faced by her Department which (i) she has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36879/11-15)

Mrs O'Neill: My Department has five budgetary pressures totalling £11.2m which I consider to be truly inescapable. These are set out in the table below.

Inescapable Budgetary Pressures

Description	**£m**
Non ring fenced Resource DEL	
Rural Development Programme (RDP)	3.6
Land and Property Services (LPS) staff on the Land Parcel Identification System (LPIS) Project	2.8
AFBI Funding	1.3
Total Non ring fenced Resource	**7.7**
Ring fenced Resource DEL	
Departmental Depreciation/Impairment	1.3
Capital DEL	
Common Agricultural Policy (CAP) Reform ICT	2.2

The Department of Finance and Personnel's assessment of these pressures will form part of the Executive's consideration of In Year Monitoring.

Mr Kinahan asked the Minister of Agriculture and Rural Development how she ensures that every farm business is aware of the restrictions in place on slurry spreading during the closed period.
(AQW 36901/11-15)

Mrs O'Neill: The Nitrates Action Programmne (NAP) Regulations place restrictions on spreading slurry and include a closed period for spreading from 15 October to 31 January. This measure promotes best practice to ensure that slurry is spread when the nutrients it contains can be used efficiently by growing crops and that water quality is protected.

When the NAP was first introduced in 2007, my Department published a comprehensive guidance document which was sent to all Farm Businesses. Press articles have been issued regularly on the various aspects of the NAP, including the closed period. Every year an article is published highlighting the dates of the closed period and encouraging farmers to plan ahead with slurry spreading operations. The most recent article was published on 12 September 2014.

My Department provides comprehensive advisory support and training for farmers on the NAP. Since the NAP was first introduced in 2007, some 620 NAP related training events have been delivered by the College of Agriculture, Food and Rural Enterprise (CAFRE) and were attended by 10,263 farmers. In addition, a range of 5 online calculators are available to help farmers manage slurry, manures and chemical fertilisers effectively and meet the NAP requirements.

My Department's Code of Good Agricultural Practice, published in 2008, also includes detailed advice on slurry management including storage and spreading. In 2011, following the introduction of the second Nitrates Action Programme for 2011-2014, an updated leaflet on the NAP Regulations was issued to all farm businesses.

Given this extensive communication, the closed period is now well established in farming practice. I encourage all farmers to continue to demonstrate good practice when spreading slurry. This will maximise its fertiliser value and help to ensure we build on the good progress that has been achieved in improving water quality.

Mr B McCrea asked the Minister of Agriculture and Rural Development why her Department's capital reduced requirements for 2014-15 have totalled £8.9 million.
(AQW 36950/11-15)

Mrs O'Neill: In the June 2014/15 Monitoring Round, my Department declared a single capital reduced requirement of £8.9m in respect of the HQ Relocations Programme as the related expenditure has been reprofiled into subsequent financial years.

Mr Kinahan asked the Minister of Agriculture and Rural Development when she will publish her report on Lough Neagh and clarify her Department's plans for the Lough.
(AQW 37014/11-15)

Mrs O'Neill: The report of the Cross Departmental Working Group on Lough Neagh was published on 5 June 2014 and can be viewed on the Department's web site at:

http://www.dardni.gov.uk/potential-for-bringing-lough-neagh-into-public-ownership.doc

The Cross Departmental Working Group are currently considering a revised, more representative public management structure for the Lough, incorporating both operational and strategic activity; and my Department is taking the lead in this work. I asked that proposals on the way forward be brought to me by autumn this year.

Mr Agnew asked the Minister of Agriculture and Rural Development to detail (i) a breakdown of her Department's bids in the 2014 October monitoring round; (ii) the bids for funding which are inescapable or required to meet her Department's statutory obligations; and (iii) whether she will place a copy of her Department's bid in the Assembly Library prior to the statement on the October monitoring round from the Minister of Finance and Personnel.
(AQW 37116/11-15)

Mrs O'Neill: My Department submitted six bids totalling £19.2m in the October 2014/15 Monitoring Round which I consider to be inescapable and these are set out in the table below.

Bids submitted in October Monitoring

Description	**£m**
Non ring fenced Resource DEL	
TB Compensation	8.0
Rural Development Programme (RDP)	3.6
Land and Property Services (LPS) staff on the Land Parcel Identification System (LPIS) Project	2.8
AFBI Funding	1.3
Total Non ring fenced Resource Bids	**15.7**
Ring fenced Resource DEL	
Departmental Depreciation/Impairment	1.3
Capital DEL	
Common Agricultural Policy (CAP) Reform ICT	2.2

I understand that there is not a requirement to place a copy of these bids in the Assembly Library. However, my officials have fully engaged with the ARD Committee on our October Monitoring proposals and secured their support.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 36375/11-15, to provide copies of the current Business Plan and those of the last two years.
(AQW 37159/11-15)

Mrs O'Neill: As requested, below are links to the Forest Service Business Plans for 2014/15, 2013/14 and 2012/13.

- http://www.dardni.gov.uk/business-plan-2014-2015a.pdf
- http://www.dardni.gov.uk/business-plan-2013-2014.pdf
- http://www.dardni.gov.uk/business-plan-2012-13.pdf

Hard copies of any of the above documents can be provided if required.

Mrs Dobson asked the Minister of Agriculture and Rural Development how many young people are eligible to take the Level 2 Agricultural Qualification at the College of Agriculture, Food and Rural Enterprise this year; and how this correlates to the number of available places.
(AQW 37313/11-15)

Mrs O'Neill: The Level II qualification in agriculture provided by CAFRE, for those young people who do not already hold an agricultural qualification at Level II and who intend to apply for the Young Farmer's Scheme or Regional Reserve, does not have any formal entry requirements. 3,495 young people applied for this course by the closing date for applications and 2,797 subsequently progressed their application with CAFRE. These 2,797 young people have been offered places on the training course for this qualification. Delivery of this training course will commence on Monday 20th October.

Department of Culture, Arts and Leisure

Miss M McIlveen asked the Minister of Culture, Arts and Leisure to detail the reduction in the current budget for (i) Ulster Rugby; (ii) the GAA; and (iii) the Irish Football Association to deliver the 'Promoting Equality, Tackling Poverty and Social Exclusion through Sport Programme', broken down by sport.
(AQW 36160/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The PETPSE through Sport budget for 2014/15 has been reduced by £700,000. Each of the three sports has suffered a reduction in their PETPSE budget for 2014/15, as detailed below:

	Soccer	Rugby	GAA
Capital Funding	£ Nil	£ Nil	£500,000
Revenue Funding	£100,000	£20,000	£80,000
Total Reduction	**£100,000**	**£20,000**	**£580,000**

Mr P Ramsey asked the Minister of Culture, Arts and Leisure, for the 2011-15 budget period, to detail (i) the budget reductions over £1,000, broken down by (a) the name of the item; (b) the amount of the reduction; and (c) the reduction as a percentage of the previous funding awarded; and (ii) the impact of Welfare Reform penalties on that budget.
(AQW 36513/11-15)

Ms Ní Chuilín: Budgets are subject to constant scrutiny and can be amended for various reasons in order, for example, to reflect reprioritisation of objectives and changes in external circumstances. At the level of detail asked it is not possible to isolate those budget reductions which are a direct result of cuts.

The overall position in relation to the Department's budget is summarised in the table at Annex 1. This shows opening and closing budget allocations for 2011/12, 2012/13 and 2013/14 compared to the opening baseline for 2010/11. The 14/15 allocations are not included since agreement has not yet been reached by the Executive on cuts for this year.

The table shows, at Departmental and ALB level, budget reductions imposed as part of the CSR exercise and in-year budget movements separately. It also reports funding made available to new activities for example City of Culture and World Police and Fire Games. Some notes are included which explain significant levels of additional funding made available to existing services.

I am also placing in the Assembly library the Department's Savings Delivery Plans for the Budget period. These are the mechanism through which departments informed the Assembly and other stakeholders of where they planned to make budget savings. I hope you find these informative as well.

Finally, the Department has made no budget reductions in the current year in respect of the Welfare Reform penalty for 14/15. As you may be aware, the Executive has agreed to discuss the management of this penalty as part of October Monitoring.

Annex 1

DCAL - Resource Budgets 2010/11 to 2013/14

		2010/11	2011/12				2012/13				2013/14			
		Opening Baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline
Area	**Notes**	**£m**	**£m**		**£m**		**£m**		**£m**		**£m**		**£m**	
Department	1	21.88	21.60	-1%	20.26	-7%	22.37	2%	22.27	2%	23.08	6%	24.19	11%
ALBs														
Arts Council		16.02	15.20	-5%	14.93	-7%	14.16	-12%	13.96	-13%	13.83	-14%	13.53	-16%
NI Screen	2	1.29	1.26	-2%	1.40	9%	1.21	-6%	1.68	31%	1.17	-9%	2.28	77%

Area	Notes	2010/11	2011/12				2012/13				2013/14			
		Opening Baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline	Opening Budget	Mov't against 10/11 baseline	Closing Budget	Mov't against 10/11 baseline
		£m	£m		£m		£m		£m		£m		£m	
Armagh Obs & Planetarium		1.76	1.83	4%	1.92	9%	1.85	5%	1.84	5%	1.85	5%	1.91	9%
National Museums NI		17.55	17.68	1%	17.63	0%	16.31	-7%	16.28	-7%	15.52	-12%	15.47	-12%
NI Museums Council		0.28	0.27	-3%	0.28	-1%	0.26	-7%	0.26	-5%	0.27	-3%	0.28	1%
Libraries NI	3	32.22	31.56	-2%	33.13	3%	30.11	-7%	30.28	-6%	31.02	-4%	32.20	0%
Sport NI		11.97	12.09	1%	12.03	0%	10.77	-10%	10.17	-15%	10.50	-12%	9.99	-17%
N/S Language Body		6.48	6.47	0%	6.30	-3%	6.21	-4%	6.00	-7%	6.03	-7%	5.74	-11%
Waterways Ireland	4	3.88	3.75	-3%	3.70	-4%	3.61	-7%	4.78	23%	3.51	-9%	4.45	15%
ALB Total		91.44	90.11	-1%	91.31	0%	84.49	-8%	85.26	-7%	83.70	-8%	85.85	-6%
Total Recurrent Activity		113.32	111.71	-1%	111.58	-2%	106.86	-6%	107.54	-5%	106.78	-6%	110.04	-3%
City of Culture		0.00	0.00		0.00		0.00		6.50		0.00		7.11	
Stadiums		0.00	0.00		0.00		0.00		1.09		0.00		1.33	
WPFG Ltd		0.00	0.00		0.90		0.00		1.97		0.00		3.84	
Total Timebound Projects		**0.00**	**0.00**		**0.90**		**0.00**		**9.56**		**0.00**		**12.29**	
Grand Total		**113.32**	**111.71**	**-1%**	**112.47**	**-1%**	**106.86**	**-6%**	**117.09**	**3%**	**106.78**	**-6%**	**122.32**	**8%**

Notes

1 The Department was able to secure additional funding in 13/14 for cultural programmes and for creative industries

2 NI Screen received additional funding in 13/14 for various PETPSE projects and in respect of the jobs and economy initiative.

3 Libraries received a measure of protection in the period, especially in 11/12.

4 The North South Bodies were reclassified as NDPBs in 12/13. This led to significant uplifts in Waterways Ireland's budget to deal with non cash costs but these have no effect on its spending power.

Mrs Dobson asked the Minister of Culture, Arts and Leisure to detail the funding her Department has provided to promote cycling in each of the last three years; and for her assessment of the impact of this financial assistance.
(AQW 36895/11-15)

Ms Ní Chuilín: Sport NI, an arms length body of my Department, is responsible for the distribution of funding to sport in the north of Ireland. In the last three financial years (up to 31 March 2014), Sport NI provided total Exchequer and Lottery funding of £538,442 to promote the sport of cycling.

In addition, the Sports Institute NI (SINI), which is supported by my Department, provides specialist support to local, talented cyclists in the form of Sports Medicine, Physiology, Performance Skills, including lifestyle management, Performance Analysis and Strength and conditioning.

The impact of this funding has resulted in considerable international competition success for local cyclists such as Martyn Irvine, James Brown and Wendy Houvenaghel who all achieved medal success in the last three years.

Sport NI's investment to the governing body, Cycling Ireland, through its PerformanceFocus programme, is focused solely on High Performance Operations. The progression in this system has already achieved its four year target of moving from 'emerging' to 'established' which demonstrates improvements in high performance systems, coaching and service use. Other impacts include improvements in talent identification, governance and culture systems.

Furthermore, as part of the World Police and Fire Games legacy, DCAL has provided funding of £10,000 to VC Glendale for the delivery of a children's cycling training and participation programme in the Shankill and Colin areas of Belfast.

Ms Sugden asked the Minister of Culture, Arts and Leisure to outline any plans her Department has for language projects which encourage cultural integration with migrant communities.
(AQW 37016/11-15)

Ms Ní Chuilín: The table below details those honoraria payments made to staff in the Southern Education and Library Board deemed irregular by the NIAO for 4 of the last 5 financial years. The Board has advised that the audit in respect of the 2013/14 financial year is ongoing but it is not currently aware of any irregular payments.

	2009/10	2010/11	2011/12	2012/13
Teaching staff	£61,211	£27,083	Nil	Nil
Non-teaching staff	£73,473	£91,229	Nil	Nil
Total	**£134,684**	**£118,312**	**Nil**	**Nil**

Mr Eastwood asked the Minister of Culture, Arts and Leisure whether any of the £1m for legacy projects secured in the June monitoring round will fund projects in Derry affected by the decision not to continue the Northern Ireland Tourist Board Tourism Events Fund for 2015/16.
(AQW 37057/11-15)

Ms Ní Chuilín: To clarify the position, the £1m secured in the June Monitoring Round was made available to DCAL for the purposes of cultural programming.

This funding was made available to support a range of arts and cultural activity linked to sport and creativity. The bid was submitted following the success of the DCAL cultural programme which ran in parallel with the World Police and Fire Games in August 2013. The business cases in relation to projects that might be supported are currently being worked through.

In relation to funding for City of Culture legacy projects, I submitted a significant bid to the June Monitoring Round to maximise ongoing development of a social and economic legacy from City of Culture 2013. This bid was unsuccessful.

My Department and the Department of Education have identified the potential to work together to develop a cultural led framework supporting educational outcomes for children and young people and particularly those from disadvantaged areas and backgrounds as a legacy of the 2013 City of Culture.

My officials are currently working with DE to identify a suitable programme up to a cost of £1m. I will be making further announcements relating to the detail in due course.

Mr B McCrea asked the Minister of Culture, Arts and Leisure, pursuant to AQW 35965/11-15, whether her Department's total expenditure for 2014 was for the end of the business year or the calendar year; and to outline her Department's capital expenditure to Waterways Ireland in each of the last three years.
(AQW 37096/11-15)

Ms Ní Chuilín: My Departments expenditure for 2014 as detailed in AQW 35965/11-15 represents the amount provided to Waterways Ireland to date for the financial year 2014/15. My Department has provided the following capital funding for Waterways Ireland over the last 3 years:

Year	Amount
2011/12	£0
2012/13	£320,000
2013/14	£250,000

Mr Humphrey asked the Minister of Culture, Arts and Leisure how much funding her Department has provided to the Northern Cricket Union and affiliated clubs in the last three years.
(AQW 37117/11-15)

Ms Ní Chuilín: Sport NI, an arms length body of my Department, responsible for the distribution of funding to sport in the north of Ireland, has not provided any funding directly to the Northern Cricket Union in the last three financial years, up to 31 March 2014.

However, the following Northern Cricket Union affiliated clubs have received investment totalling £31,200 as detailed below:

Financial Year	Organisation Name	Project Title	Grant Amount
2013	North Down Cricket Club	Supply and installation of ball stop fencing to a 140m length of boundary.	£30,000
2014	Donaghadee Cricket Club	Coaching Qualifications for Donaghadee Cricket Club	£1,200

Mr McCausland asked the Minister of Culture, Arts and Leisure why there was a delay of more than six months in responding to the letter sent to her by the Committee for Culture, Arts and Leisure on 5 March 2014, in relation to 'Líofa collation of information and delivery'.
(AQW 37124/11-15)

Ms Ní Chuilín: The delay in responding to correspondence of 5 March 2014, from the Committee for Culture, Arts and Leisure, in relation to Líofa, was due to the matter being under consideration.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail the dates of all meetings of the Inter-departmental Charter Implementation Group since July 2012.
(AQW 37125/11-15)

Ms Ní Chuilín: The Interdepartmental Charter Implementation Group has met on four occasions since July 2012, as follows:

- 5 July 2012
- 31 January 2013
- 21 November 2013
- 22 July 2014

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail all expenditure on the Líofa campaign.
(AQW 37126/11-15)

Ms Ní Chuilín: The actual expenditure incurred for Líofa, since it was launched in September 2011 to date is £526,405. This includes a spend of £196,957 for the 2013/14 advertising campaign, which was approved by the Executive.

The table below details the expenditure:

	2011-12	2012-13	2013-14	2014-Date
Líofa Staffing costs	NIL	£ 37,623	£ 49,718	£ 19, 293
Balmoral Show	NIL	£ 6, 760	£ 3, 692	£ 3, 696
Gaeltacht Bursary Scheme	NIL	£ 20, 050	£ 43, 727	NIL
Líofa Anniversary Events	NIL	£ 14, 157	£ 16, 157	NIL
Promotional Events (Freshers fairs etc)	£ 947	£ 1, 883	£ 7, 925	£ 4, 650
Advertising – Ads in newspapers	NIL	£ 2, 084	£ 9, 258	£ 1, 751
Advertising – Banners, leaflets, posters	£ 178	£ 2, 302	£ 919	£ 660
Admin – Translations	NIL	NIL	£ 3, 439	£ 785
Promotional Merchandise	£ 1, 500	£ 12, 991	£ 4, 393	£ 2, 367
Líofa Advertising Campaign	NIL	NIL	£196, 957	NIL
Líofa Website	NIL	NIL	£ 54, 260	£ 2, 283
Total	**£ 2, 625**	**£ 97, 850**	**£390, 445**	**£ 35, 485**
Overall Total				**£526, 405**

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail the number of visitors to the (i) Ulster Museum; (ii) Ulster Folk and Transport Museum; and (iii) Ulster American Folk Park, in each of the last five years.
(AQW 37128/11-15)

Ms Ní Chuilín: The number of visitors to the (i) Ulster Museum; (ii) Ulster Folk and Transport Museum; and (iii) Ulster American Folk Park, in each of the last five years is outlined at Annex A.

Annex A

Number of Visitors

Year	(i) Ulster Museum	(ii) UFTM	(iii) UAFP	Total
2009/10	*282,890	164,015	158,022	604,927
2010/11	509,020	168,982	147,520	825,522
2011/12	488,190	206,790	139,753	834,733
2012/13	577,643	170,468	142,643	890,754
2013/14	424,969	158,933	135,544	719,446
			Total	**3,875,382**

*Re-opened on 22 October 2009 after £17.4m major refurbishment.

Mr Allister asked the Minister of Culture, Arts and Leisure to detail the current (i) number; and (ii) annual cost of staff employed in her Department's Information Service.
(AQW 37157/11-15)

Ms Ní Chuilín: There are currently three Executive Information Service Officers and 1.5 administrative staff employed in DCAL's Information Service.

Information Officers provide a wide ranging professional communications service – including media, online, internal communications and advertising service – and are supported by administration staff in their duties.

The staff costs (including salary, national insurance employer contributions, superannuation and overtime and allowances costs) for the 2013-14 financial year were £238,630.

The Department had lead responsibility for a number of high profile events during this period, including the City of Culture celebrations and the World, Police and Fire Games.

There is currently one fewer Executive Information Service Officer in post than was the case during the 2013-14 financial year.

Mrs Overend asked the Minister of Culture, Arts and Leisure how the cuts to Libraries NI will affect each library in the Mid Ulster constituency.
(AQW 37163/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is not yet possible to detail the affect of any proposed budget reductions on individual libraries in the Mid Ulster constituency.

This information will be provided once it becomes available.

Mrs Overend asked the Minister of Culture, Arts and Leisure whether she is aware of any libraries in Mid Ulster which face closure as a result of the cuts being imposed by her Department.
(AQW 37164/11-15)

Ms Ní Chuilín: Decisions on how Libraries NI budget reductions are managed in Mid Ulster are a matter for the Authority's Board and Senior Management Team.

Libraries NI has informed me that the measures it is implementing may, on occasion, lead to libraries in Mid Ulster and other areas experiencing temporary or ad hoc closures. Libraries NI has also advised that none of the measures it plans to take include the permanent closure of any library.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure what staff numbers are required by Libraries NI to deliver the quality and range of services of the 96 libraries it currently manages.
(AQW 37165/11-15)

Ms Ní Chuilín: Libraries NI has undertaken a series of reviews of its estate and service provision in recent years. It has concluded that, in order to provide the current range and quality of service across the library network, it would require in the order of 660-670 full time equivalent staff.

Clearly, as for all public bodies, every effort needs to be made to find more efficient ways to deliver services. Libraries NI will continue to seek to minimise the impact of budget reductions on front line services.

Mr D Bradley asked the Minister of Culture, Arts and Leisure what staff numbers are required by Libraries NI to deliver the quality and range of services of the 96 libraries it currently manages.
(AQW 37170/11-15)

Ms Ní Chuilín: Libraries NI has undertaken a series of reviews of its estate and service provision in recent years. It has concluded that, in order to provide the current range and quality of service across the library network, it would require in the order of 660-670 full time equivalent staff.

Clearly, as for all public bodies, every effort needs to be made to find more efficient ways to deliver services. Libraries NI will continue to seek to minimise the impact of budget reductions on front line services.

Mr D Bradley asked the Minister of Culture, Arts and Leisure how many agency staff Libraries NI will keep in employment.
(AQW 37173/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is currently working through the process of determining its requirement for agency staff and as a result it is not yet possible to detail how many agency staff will be retained.

This information will be provided once it becomes available.

Ms McCorley asked the Minister of Culture, Arts and Leisure whether staff from her Department could be redeployed to Libraries NI to ensure the continued service provision.
(AQW 37203/11-15)

Ms Ní Chuilín: DCAL and Libraries NI are separate employers operating under their own terms and conditions on employment and requiring different skills. As such it would not be appropriate to redeploy DCAL staff to Libraries NI.

Mr Copeland asked the Minister of Culture, Arts and Leisure to detail the level of reserves in each of her Department's arm's-length bodies as of 1 October 2014.
(AQW 37219/11-15)

Ms Ní Chuilín: Used in the accounting sense, reserves equate to the stake the taxpayer has in publicly funded bodies. I have made the assumption that the question refers to reserves in the narrower sense of cash held in my Department's arm's length bodies.

None of these bodies holds cash reserves. A major objective of my Department's cash management policy is to minimise cash balances held around the DCAL family. Each body is, therefore, provided with cash by the Department on the basis of monthly instalments to cover immediate requirements, normally those for the succeeding month only.

Mr Dunne asked the Minister of Culture, Arts and Leisure to detail the level of departmental funding provided to the Ulster Orchestra in the last five years.
(AQW 37264/11-15)

Ms Ní Chuilín: My Department has provided the following funding to the Ulster Orchestra (through the Arts Council NI and the Creative Industries Fund) over the last five financial years.

Year	ACNI Funding £	Creative Industries £	Total £
2014/15	1,879,568		1,879,568
2013/14	2,031,966	48,206	2,080,172
2012/13	2,196,720		2,196,720
2011/12	2,205,315		2,205,315
2010/11	2,211,720		2,211,720

The Arts Council has also provided a total of £190,660 Lottery funding to the Orchestra during this period.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail the budget of the Ulster-Scots Broadcast Fund in each year since it was established; and how much of this was allocated.
(AQW 37278/11-15)

Ms Ní Chuilín: The Ulster-Scots Broadcast Fund (USBF) has been in operation since 2010.

It has had a budget of £1m per year which it has used to support a wide variety of productions. This funding does not have to be spent in the current financial year and underspends can be carried forward into the next financial year. Annual budget details are outlined below:

Ulster-Scots Broadcasting Fund

Date Awarded	Amount available	Amount Spent InYear
2010/2011	1,000,000	0

Date Awarded	Amount available	Amount Spent InYear
2011/2012	1,000,000	1,595,983
2012/2013	1,000,000	1,291,733
2013/2014	1,000,000	889,039
2014/2015	1,000,000	318,000
Totals	**5,000,000**	**4,094,755**

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail the films, and the relevant production companies, which were supported by the Ulster-Scots Broadcast Fund.
(AQW 37279/11-15)

Ms Ní Chuilín: The Ulster-Scots Broadcast Fund was established in 2010. In its first four years the fund has supported the following productions:

Project	Company	Genre
2010/11		
Pipe Dreamers	ALX Production Ltd	Documentary
Paul and Nick's Big Food Trip	Waddell Media	Cookery Series
The Siege	DoubleBand Films	Documentary
The Ulster Covenant	DoubleBand Films	Documentary
Tattoo Debut	Barking Films Ltd	Documentary
Santer, Series 2	Barking Films Ltd	Magazine Series
2011/12		
Mapping Ulster	Hardy Pictures	Documentary
Written in Stone	DoubleBand	Documentary
Forgotten Revolutionary: Francis Hutcheson	Below the radar	Documentary - Biography
An Independent People	Below the Radar	Landmark Documentary Series
Interactive Ulster-Scots Heritage Trail	Lagan Media	Digital content
Ulster's Forgotten Radical	Below the Radar	Documentary - Biography
An Ode to Burns	DoubleBand	Documentary
The Extraordinary Life of Castlereagh	DoubleBand	Documentary - biography
12 Miles - The Narrow Sea	Tern TV	Documentary
The Man Who Shrank the World	Tern TV	Documentary - biography
Reader of Rabbie	Tern TV	Documentary
2012/13		
Ulster Unearthed	Televisionary	Documentary
Santer Series 3	Barking Films	Magazine Series
The Santer Sessions	Barking Films	Music Show
Paul and Nicks Big Food Trip Series 2	Waddell Media	Cookery Series
Our Friends in the North	Tern TV	Documentary - travelogue
Five Fables	Flickerpix Ltd	Animation Series
Tim McGarrys Ulster Scots Journey	HITWG	Factual Entertainment
Life Stories Amy Carmichael	Ian Webster Ltd	Documentary - Biography
Brave New World: New Zealand	Doubleband Films	Documentary
2013/14		

Project	Company	Genre
Stumpy's Brae	Six Mile Hill Productions	Drama
In Search of Richard Hayward	Doubleband Films	Documentary - Biography
Then Sings My Soul	Erica Starling Productions	Documentary
The Gaitherin (previously Homelands)	Tern TV	Magazine Series
Imagining Ulster (previously The History of An Idea)	Below the Radar	Documentary
Paul and Nick's Big American Food Trip	Waddell Media	Cookery Series
Five Fables app	Flickerpix Ltd	Digital content
2014/15		
Brave New World: Canada	Doubleband Films	Documentary
The Radical World of William Tennent	Doubleband Films	Documentary
Minding our Language	Hole in the Wall Gang	Documentary
A Rebel Heart: Mary-Ann McCracken	Below the Radar	Documentary

Mr McCausland asked the Minister of Culture, Arts and Leisure what criteria is used by the Irish Language Broadcast Fund when assessing applications for funding.
(AQW 37280/11-15)

Ms Ní Chuilín: The Irish Language Broadcast Fund (ILBF) uses the criteria below when assessing applications:

1. How the proposal complies with priorities of the ILBF;
2. How the proposal contributes to the status and promotion of the Irish language;
3. The quality of the proposal;
4. The audience appeal of the proposal;
5. Value for money aspects;
6. Maximising audience aspects;
7. Additionality aspects; and
8. The proposal's ability to contribute to the growth and development of the Irish language independent production sector in the North of Ireland.

Mr McCausland asked the Minister of Culture, Arts and Leisure what criteria is used by the Ulster-Scots Broadcast Fund when assessing applications for funding.
(AQW 37281/11-15)

Ms Ní Chuilín: The Ulster-Scots Broadcast Fund (USBF) uses the criteria below when assessing applications:

1. How the proposal complies with the priorities of the USBF;
2. How the proposal contributes to increasing awareness and understanding of Ulster-Scots heritage, culture and/or language;
3. The quality of the proposal;
4. The audience appeal of the proposal;
5. Value for money aspects;
6. Maximising audience aspects;
7. Additionality aspects and match funding arrangements; and
8. The proposal's ability to contribute to the growth and development of the Ulster-Scots independent production sector and infrastructure.

Mr McCausland asked the Minister of Culture, Arts and Leisure, in relation to funding applications to the Ulster-Scots Broadcast Fund, to detail the number (i) received; (ii) approved; and (iii) refused in each year since it was established.
(AQW 37282/11-15)

Ms Ní Chuilín: The Ulster-Scots Broadcast Fund has been in operation since 2010. Details of the number of funding applications (i) received; (ii) approved; and (iii) refused in each year are outlined in the table below.

Year	Received	Approved	Refused
2010/11	42	6	36
2011/12	20	13	7
2012/13	13	10	3
2013/14	9	6	3
2014/15	6	4	2
Total	**90**	**39 ***	**51**

*includes 2 subsequently de-committed

Ms Sugden asked the Minister of Culture, Arts and Leisure to outline the ways in which her Department supports statutory bodies, which are designated public authorities in their own right, to produce their own Disability Action Plans.
(AQW 37296/11-15)

Ms Ní Chuilín: Under Section 49B of the Disability Discrimination Act 1995, public authorities are required to produce a disability action plan showing how they propose to fulfil the disability duties in relation to their functions. It is the responsibility of each of the Department's Arms Length Bodies (ALBs) to develop their own Disability Action Plan (DAP) in relation to their functions.

When the statutory duty to produce a DAP was first introduced in 2007 the Department's Equality Unit hosted a meeting of ALB Equality Officers to provide initial advice and guidance on the development of their plans.

The Department's Research and Statistics branch produces regular statistical bulletins on a number of areas of DCAL's business, including sport, arts, museums, libraries, angling and inland waterways, which present analysis by Section 75 groups, including those who have and do not have a disability. In addition, Sponsor Branches carry out audits of inequalities. The statistical bulletins and the audit can be used to inform the development of the DAPs of our ALBs.

As part of the Department's sponsorship and governance arrangements with its ALBs the disability duties are discussed at accountability meetings as necessary and are also included in the assurance statements completed by ALBs ensuring regular engagement on the matter.

Department of Education

Lord Morrow asked the Minister of Education to outline the future plans for the Tamnamore Learning Centre in Dungannon; and whether there is any investment planned for the centre.
(AQW 36476/11-15)

Mr O'Dowd (The Minister of Education): The Southern Education and Library Board have confirmed there are no plans to change the current status of Tamnamore Learning Centre. Any potential upgrading of the Centre, like all other Board facilities, is under continuous review in the light of need and available resources.

Mr G Robinson asked the Minister of Education whether there is a strategy to secure school budgets following the change in the formula relating to collaboration between schools.
(AQW 36504/11-15)

Mr O'Dowd: The formula you refer to relates to the mechanism for distributing additional funds to schools to support them in delivering their Entitlement Framework (EF) requirements.

The EF is about putting pupils first and the additional funding is a contribution to costs associated with expanding a school's curricular offer, with particular support targeted at courses delivered on a collaborative basis between schools, or with FE Colleges or training organisations. This funding, as an earmarked fund, was due to end by April 2014 but I have extended it through to the end of the current budgetary period, the 2014/15 financial year.

Schools receive their core budget through the LMS arrangements to pay for a range of matters including the curriculum, of which the EF is part. Every pupil in every post-primary school is entitled to have access to the same broad and balanced curricular offer, as a minimum, to support them in achieving their full potential, and every school must keep working towards the full requirements for the benefit of their pupils.

Mr Agnew asked the Minister of Education what home tuition support is provided to pupils studying for A-levels examinations who cannot attend school due to illness, in the South Eastern Education and Library Board.
(AQW 36737/11-15)

Mr O'Dowd: The South Eastern Education and Library Board provide home tuition for Children and Young people who are of compulsory school age. Responsibility for securing or providing education for Young people over compulsory school age who cannot attend their school due to illness is the responsibility of the school at which they are registered.

Ms Sugden asked the Minister of Education how his Department identifies underdeveloped social, emotional, communication and language skills of young children; and to detail the mechanisms in place to monitor progress in these areas.
(AQW 36820/11-15)

Mr O'Dowd: For young children in DE funded early years settings, assessment of children's learning is based on day-to-day observations of, and interactions with, children in a range of situations. Potential barriers to learning such as under developed social, emotional, communication or language skills are identified through careful observation, recording of responses to activities, and through close liaison with other professionals. It may be necessary to draw up individual plans to meet a child's needs or to identify appropriate support. I recently announced nearly £200,000 additional funding specifically to help eligible non-statutory pre-school settings to identify and address underdeveloped social, emotional, communication and language skills of young children in line with the Department's commitment set out in 'Learning to Learn – A Framework for Early Years Education and Learning'.

The statutory responsibility for securing provision for pupils with Special Educational Needs (SEN) rests with both schools, and the Education and Library Boards which are responsible under special education legislation for identifying, assessing and, in appropriate cases, making provision for children with SEN in their areas.

A range of tools are used to monitor progress in these areas both for young children generally and for children with SEN.

Mr Campbell asked the Minister of Education, pursuant to AQW 36056/11-15, how many schools in the North Eastern Education and Library Board were submitted for consideration in the same way as those listed from the Western Board Education and Library Board.
(AQW 36846/11-15)

Mr O'Dowd: A total of twenty eight schools were submitted by the North Eastern Education & Library Board for consideration, six of which were in the East Derry constituency. Details of these six schools are as follows:

Primary School:
- Millstrand Integrated Primary School, Portrush

Post-Primary schools:
- St Paul's College, Coleraine
- North Coast Integrated College, Coleraine
- Coleraine Academical Institution
- Loreto College, Coleraine
- Dominican College, Portstewart

For completeness I can also confirm that a total of seventeen schools were submitted by the Western Education & Library Board, three of which were in the East Derry constituency.

Miss M McIlveen asked the Minister of Education, pursuant to AQW 30077/11-15, how much finance has been expended to date in each of the projects listed.
(AQW 36856/11-15)

Mr O'Dowd: Finances expended against the 18 capital build projects announced in June 2012 up to 31 August 2014 amount in total to £32,732k. A breakdown is shown in the table below.

School Scheme	Type of School	All Expenditure up to 31/03/2013 £000's	2013/14 Expenditure £000's	2014/15 **Expenditure up to 31/08/2014 £000's	Total Spend to Date £000's
Coláiste Feirste, Belfast	Post-Primary	2,645	225	57	2,927
St Clare's Abbey Primary School (formerly St Clare's Convent / St Colman's Abbey Primary Schools, Newry)	Primary	849*	276	143	1,268
St Joseph's Convent PS, Newry	Primary	163*	1,558	648	2,369

School Scheme	Type of School	All Expenditure up to 31/03/2013 £000's	2013/14 Expenditure £000's	2014/15 **Expenditure up to 31/08/2014 £000's	Total Spend to Date £000's
Dromore Central Primary School	Primary	324	408	877	1,609
Eglinton Primary School	Primary	160	105	17	282
Tannaghmore Primary School, Lurgan	Primary	219*	324	207	750
Ebrington Controlled PS, Derry	Primary	164	37	1	202
Foyle College	Post-Primary	15,073	539	322	15,934
St Teresa's Primary School, Lurgan	Primary	160	238	286	684
Victoria Park Primary School, Belfast	Primary	720	482	989	2,191
Enniskillen Model Primary School	Primary	142	24	0	166
St Mary's Primary School, Banbridge	Primary	90*	276	44	410
Bheann Mhadagain, Belfast	Primary	52	74	5	131
Belmont House Special School, Derry	Special	10	5	0	15
Rossmar Special School, Limavady	Special	10*	18	0	28
Castletower Ballymena	Special	10	152	76	238
Arvalee School & Resource Centre, Omagh	Special	0	584	165	749
St Gerards Education Resource Centre	Special	2	2,777	0	2,779
		20,793	8,102	3,837	32,732

* figures provided in AQW 30077/11-15 were revised in AQW 30498/11-15 and are reflected in the figures recorded above.

** Expenditure for the current financial year reflects reported payments against invoices as at 31 August 2014.

Mr Copeland asked the Minister of Education to detail the range of budgetary pressures faced by his Department which (i) he has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36880/11-15)

Mr O'Dowd: (i) The June monitoring round was the Department's first opportunity to bid for additional funding in the current year. The following provides the details of inescapable bids made to DFP at June monitoring

Special Education Needs: £10m

Special Education Needs is an increasing pressure on the Block Grant of the ELBs. The number of statemented children, as a % of all pupils, has increased from 4.3% in 2011-12 to 4.6% in 2013-14 and this upward trend is expected to continue in 2014-15.

Severance: £10m

Severance funding is required to fund school based teaching and non teaching redundancies and redundancies relating to staff within Arms Length Bodies.

Schools Surpluses: £5.0m

Under the procedures agreed by the Executive in June 2011, I bid to DFP for £5m for school surplus drawdown during 2014-15.

Schools Maintenance: £22.0m

I am on record as wanting ELBs to make a significant impact on the backlog of maintenance in their areas. The bid related to Boards' statutory and emergency response maintenance and statutory risk assessments in respect of environmental hazards such as fire safety; asbestos management and control of Legionella.

Staffing for Area Based Planning: £1.4m

The ELBs and CCMS identified that they required additional staffing resources in order to expedite work on area based planning.

Council for the Curriculum, Examinations and Assessment: £1.3m

CCEA identified that it required £1.3m in relation to the development, accreditation and support of revised GCSE and A level Qualifications. This work is required to implement the recommendations coming from the Fundamental Review of GCSE and A level Qualifications.

The two inescapable bids submitted by the Department at October monitoring are set out below:

Severance: £5.0m

Severance funding is required to fund school based teaching and non teaching redundancies and redundancies relating to staff within Arm's Length Bodies.

Schools Maintenance: £10.8m

I am on record as wanting ELBs to make a significant impact on the backlog of maintenance in their areas. The bid relates to Boards' statutory and emergency response maintenance and their ability to comply with Health & Safety and other statutory requirements.

(ii) It is not appropriate for me to provide a response on behalf of DFP and therefore I would suggest that a response should be sought directly from DFP.

Ms Sugden asked the Minister of Education what commitment to funding can he make for a new build following his acceptance of proposals to merge Coleraine High School and Coleraine Academical Institution, whilst increasing enrolment at Coleraine College.
(AQW 36897/11-15)

Mr O'Dowd: I would refer the Member to the response to AQW 29800/11-15 which confirms that Belfast Public Hire taxis are permitted to have dual tariffs programmed into their meters.

The Driver & Vehicle Agency (DVA) is responsible for ensuring that all meters fitted to Belfast Public Hire taxis are only installed with the permitted tariff/s and conform to the prescribed fitment, calibration and sealing requirements.

DVA Enforcement Officers routinely conduct roadside spot checks on taxi meters installed in licensed Belfast Public Hire Taxis to ensure they satisfy fitment requirements, remain properly sealed and to validate the tariff being used. Where a taxi meter is inspected and found to be insecure, unsealed or inaccurate, enforcement action can be taken including the issue of a Defect Notice or a Prohibition Notice. Where prohibition action has been taken this would result in the suspension of the vehicle's PSV Vehicle Licence until remedial action has been taken and the taxi meter re-tested and sealed by the Agency.

Mrs Dobson asked the Minister of Education to outline the arrangements in place to enable headteachers and senior management to attend training at the regional training unit; and how attendance at the unit is remunerated.
(AQW 36979/11-15)

Mr O'Dowd: My Department funds the Regional Training Unit (RTU) to support the professional development of leaders and senior managers in all schools in the North. It provides schools with periodic mail shots about its leadership/management training provision. Details on programmes/events available including how to apply for courses are provided on the RTU website (www.rtuni.org). The website also includes a significant bank of leadership/management development materials which can be used either in preparation for or as a follow on to programme provision. In general, there are no direct charges for participants on RTU training events and travel costs are met.

Teachers usually receive their normal salary whilst attending training courses. It is for employers to agree appropriate arrangements for the release of individuals to attend courses. If substitute cover is required, schools can seek reimbursement from centre funds under the Common Funding Scheme.

Mr Copeland asked the Minister of Education how many staff in (i) his Department; and (ii) its arm's-length bodies are employed on zero hour contracts.
(AQW 37033/11-15)

Mr O'Dowd: My Department does not employ any staff on zero hour contracts. With the exception of the South Eastern Education and Library Board (SEELB), none of the Arm's Length Bodies employ staff on zero hour contracts. The SEELB has 106 staff on such contracts.

Zero hours contract is defined as a contract where the employer does not guarantee to provide the employee/worker with work and will only pay the employee/worker for those hours which are actually worked.

The SEELB has advised that the types of posts included for the 106 include Home Tutors, Music Tutors, Primary Language Tutors, Youth Workers,

Invigilators. The SEELB has also confirmed that it engages Primary Language Tutors on behalf of the 5 Boards. They do not have a contract of employment guaranteeing them a set number of hours; they are only paid for actual hours worked. They are on the Board's payroll system as "zero hours" therefore, they meet the definition "zero hours contract". This is one example which explains why SEELB has staff defined as "zero hours" and the other ELBs do not.

Mr Kinahan asked the Minister of Education what steps his Department has taken to encourage business linkages with schools through Area Learning Communities, School Boards of Governors or by appointing business liaison personnel through Education and Library Boards.
(AQW 37037/11-15)

Mr O'Dowd: Area Learning Communities (ALCs) were established to facilitate curricular provision on an area basis to support post-primary schools in delivering the Entitlement Framework requirements. Whilst ALCs operate with a number of sub groups, including careers groups, it is a matter for an individual ALC to determine what links they make with business. ALCs could provide a useful forum through which businesses could more easily engage with schools given their relatively small number.

I encourage and welcome people within the local business community to engage in public service as school governors. Those that apply for and take up office as governors are in a position to make a valuable contribution to the work of school Boards of Governors (BoGs) due to their management skills and experience.

The reconstitution of school BoGs was taken forward during the 2013/14 school year. An extensive recruitment campaign was launched by my Department, together with the Education and Library Boards, to attract applicants to apply to become school governors. As part of the campaign, recruitment material was disseminated to a wide variety of organisations, including business organisations i.e. Business in the Community, NI Chamber of Commerce & Industry, law societies, banks, building societies, insurance companies, borough councils as well as voluntary groups, disability, Irish language and equality groups and libraries. Contact was also made with the NI Civil Service and the Chief Executive's Forum.

An advertisement was placed in all the daily and local weekly newspapers and a promotional video was also produced for the ESaGS.tv website. Business in the Community also carried an article about becoming a school governor in their online magazine.

Mr Irwin asked the Minister of Education to detail the combined total of performance related pay to officers and staff in the Southern Education and Library Board in the last five financial years.
(AQW 37060/11-15)

Mr O'Dowd: I can confirm that the Southern Education and Library Board (SELB) has paid performance related pay (PRP) to officers and staff in each of the last five years, broken down as follows:

ELB	2009/10	2010/11	2011/12	2012/13	2013/14
Performance Related Pay Paid	Nil	£20,692*	Nil	£77,448^	NilX

* PRP for 2008/09 was paid in 2010/11.

^ Performance related pay for 2009/10 and 2010/11 was paid in 2012/13 once approval was received.

X SELB awaits the approval of PRP for 2011/12 and 2012/13, consequently there was no PRP paid in 2013/14.

Mr Irwin asked the Minister of Education to detail the total amount of irregular honoraria payments made to (i) teaching staff; and (ii) non-teaching staff in the Southern Education and Library Board in the last five financial years.
(AQW 37061/11-15)

Mr O'Dowd: The table below details those honoraria payments made to staff in the Southern Education and Library Board deemed irregular by the NIAO for 4 of the last 5 financial years. The Board has advised that the audit in respect of the 2013/14 financial year is ongoing but it is not currently aware of any irregular payments.

	2009/10	2010/11	2011/12	2012/13
Teaching staff	£61,211	£27,083	Nil	Nil
Non-teaching staff	£73,473	£91,229	Nil	Nil
Total	**£134,684**	**£118,312**	**Nil**	**Nil**

Mr Campbell asked the Minister of Education, following his recent announcement, to detail the expected timescale of the increased enrolment at Coleraine College.
(AQW 37064/11-15)

Mr O'Dowd: On 26 September 2014 I approved a development proposal to increase the enrolment number at Coleraine College from 600 to 900 pupils with effect from 1 September 2015 or as soon as possible thereafter.

Accordingly, the admissions number at Coleraine College will increase from 103 to 140 from September 2015. The Department will review numbers annually and, from the 2016 school year, will increase the enrolment number on a phased basis in line with demand for places at the school until the approved enrolment number of 900 is reached.

Mr Easton asked the Minister of Education how he is addressing educational underachievement in Kilcooley Estate, Bangor.
(AQW 37076/11-15)

Mr O'Dowd: Since coming to office I have continued to implement policies to raise standards and tackle underachievement. Alongside the implementation of these policies, additional funding is being made available to specific programmes to target educational underachievement in areas of social deprivation such as the Kilcooley estate.

Through the common funding scheme I have redistributed the aggregate schools budget to target schools with high numbers of pupils from socially disadvantaged backgrounds. In this financial year I have also injected a further £10 million specifically targeting social deprivation into school budgets. Kilcooley Primary School received just over £135,000 of funding within its delegated budget under the Social Deprivation and Additional Social Deprivation elements of the funding formula in 2014/15. This represents an increase of approximately 33% compared to the equivalent TSN funding for the school in 2013/14.

Through the Delivering Social Change (DSC) literacy and numeracy programme to employ additional teachers, Kilcooley Primary School (PS) has been allocated additional part-time teaching support equivalent to 0.2 of a Full-Time Equivalent (FTE) teaching post. In addition, all the non-selective post-primary schools in the North Down area are entitled to additional teaching support through this programme so those pupils resident in the Kilcooley estate who attend these schools will also be benefiting from this additional resource.

Since January 2014, the SEELB's Curriculum Advisory Support Service (CASS) has provided advice, support and guidance for the Numeracy co-ordinator in Kilcooley Primary School. This has supplemented the school's provision of additional numeracy support for pupils on a par with the DSC Signature programme for literacy. The school have also joined a recently formed cluster group facilitating Numeracy co-ordinators in the North Down area.

Kilcooley PS provides a nurture room to support a child's social, emotional and behavioural development and to help the child become more receptive to learning and be reintegrated with their mainstream class. DSD currently funds this resource however this funding is due to end in March 2015. DE has committed to sustain the nurture provision to the end of the academic year.

Kilcooley PS currently qualifies for the funding through the Department's Extended Schools programme and has been allocated funding totalling £23,237 in 2014/15.

The Department also provides funding to the Kilcooley Neighbourhood Renewal Partnership (NRP) through the Community Education Initiates Programme. This programme aims to identify and allocate resources to community-based initiatives which have a specific focus on positive educational outcomes. A total of £37,510 has been made available in 2014/15 to support an on-going parental engagement programme.

The NRP is also funded by DSD to support a Transitions Programme. This programme provides additional literacy and numeracy support for primary 6 and 7 pupils in Kilcooley Primary School as they prepare for their transition to post primary school. The programme is delivered by the primary school in partnership with two local post primary schools – Priory College and Bangor Academy. Parental engagement in the transition process is also a core element of the programme.

Mr Humphrey asked the Minister of Education when work will commence on the extension and remedial works at Glenwood Primary School.
(AQW 37118/11-15)

Mr O'Dowd: This project is still at an early stage of planning. The Belfast Education and Library Board (BELB) have advised my Department that they anticipate completion of the Economic Appraisal in January 2015. When approved the detailed design of the new school can commence. The BELB has advised that they hope to start construction over the summer of 2016 with completion anticipated around September 2018. These timescales are dependent on approval of the economic appraisal and that no further delays occur.

Mr Allister asked the Minister of Education to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 37155/11-15)

Mr O'Dowd:

(i) There are currently 12 staff in the Department of Education's Information Service.

Four members of staff are responsible for media relations; website management, including the Department of Education pages on the NI Direct website; social media output; internal communications; advertising; and the preparation of ministerial briefings relating to school visits and school prize-giving ceremonies.

A Desktop Publishing Unit, comprising four staff, provide a design and print service to the Department and four administrative staff provide a support service.

Four staff work reduced hours therefore the full-time equivalent figure is 10.92.

(ii) The projected cost of salaries for the current financial year 2014/15 is £399,150, assuming no further staff changes take place.

Ms Sugden asked the Minister of Education for his assessment of the effectiveness of the 'Food in Schools' policy on nutritional standards for school lunches and other food in primary and post-primary schools.
(AQW 37183/11-15)

Mr O'Dowd: The Department of Education recognises that a healthy, balanced diet is vital for children's growth and development and that good nutrition makes a positive contribution to children's learning, concentration and educational performance. Therefore, the Department has proactively sought to improve the quality of food in our schools.

It is for this reason that I, along with the previous Health Minister, launched the Food in Schools Policy (the Policy) on 24 September 2013. The Policy sets out the overall aims and objectives of the Department in relation to food in schools. I would note, however, that compliance with the nutritional standards for food and drink in schools is a key, but not the sole, element of the Food in Schools policy. The Policy also describes the range of activities that are being or should be put in place to deliver improved nutrition and knowledge about food for our school children. This includes, for example, the provision of free, fresh drinking water and, through delivery of the curriculum, education on how to make healthy food choices and to prepare food accordingly.

Since September 2007 all schools have been required to comply with the nutritional standards for school lunches. Standards for other food and drinks provided in schools (breakfast clubs, tuck shops, vending machines etc) were also introduced in April 2008 and schools are also expected to adhere to them.

In seeking to determine the extent to which schools are complying with the nutritional standards the Education and Training Inspectorate's Nutritional Associates obtained evidence from inspections relating to the nature, range and quality of healthy eating policies and practices in schools over the period from January 2007 to March 2011. I am pleased to advise that their findings over this time demonstrated that the vast majority of schools inspected were making outstanding or very good progress in implementing the nutritional standards.

The Department intends to undertake a survey of all grantaided schools early in 2015 to determine how effectively schools are implementing the Food in Schools policy. I would note, however, that this will seek to assess the extent to which schools are implementing all aspects of the Food in Schools policy including compliance with the nutritional standards. The findings of the survey will be used to identify any further support or advice which may be required to assist schools in implementing the Policy and complying with the nutritional standards

In 2014-15 my Department provided some £4.2 million to support schools to effectively implement the Policy and the nutritional standards. In addition, the Regional Food in Schools Co-ordinator and the services of an independent, professional dietician – posts which are jointly funded by my Department and the Department of Health, Social Services and Public Safety – provide support and advice to schools in this regard.

Ms Sugden asked the Minister of Education to outline the ways in which his Department is collaborating with the Department of Health, Social Services and Public Safety to promote and encourage healthy eating in primary and post-primary schools.
(AQW 37186/11-15)

Mr O'Dowd: The Department has proactively sought to promote and encourage healthy eating in our schools working closely with the Department of Health, Social Services and Public Safety (DHSSPS) and a range of initiatives are in place reflecting this collaborative approach.

I would refer the Member to my answer to her earlier assembly question (AQW 37183/11-15) published in the Official Report on 17 October which details some of the actions taken forward jointly by my Department and the DHSSPS in this regard including the development and publication of the joint "Food in Schools Policy" (the Policy) and the associated nutritional standards for school food.

In seeking to support schools to implement the Policy and the nutritional standards a Food in Schools Forum (the Forum) was established jointly by DE and DHSSPS. The Forum provides strategic leadership and guidance on food in schools. A key aspect of the Forum's remit is to consider and identify how healthy eating may be promoted and encouraged in schools reflecting the aims and objectives of the joint Policy.

Officials from both Departments are represented on the Forum along with representatives from the Education and Library Boards, the Council for the Curriculum, Examinations and Assessment (CCEA), the Food Standards Agency (FSA), the Public Health Agency (PHA) and Safefood.

Through the Forum a range of measures have been and are being progressed to ensure that schools and the school catering service are equipped with the necessary resources to promote and encourage healthy eating.

This includes, for example, a range of Essential Guides (produced on behalf of DE/DHSSPS by the Public Health Agency (PHA)) which have been circulated to schools and which provide advice on, for example, the provision of healthier breaks, fresh drinking water, and healthier breakfast clubs as well as advice on how to establish a whole school food policy and how to improve the school dining experience. The Guides aim to help schools improve pupils' nutrition and implement healthier eating and drinking practices and include clear advice on the actions schools should take to encourage and promote each of these aspects of the Policy.

The DE/DHSSPS jointly funded regional Food in Schools Coordinator post has enabled a Food in Schools central resource to be developed using the C2k Fronter application (C2k's virtual learning environment). This resource – known as the "food @ my school" room - provides up to date information for schools in relation to promoting healthy food and nutrition in schools, highlighting relevant and curriculum-focused resources as well as sharing examples of how a whole school approach to all food in schools improves the health and wellbeing of pupils and staff. This is a key method through which the Departments are working to promote and encourage healthy eating in schools and raise awareness among principals and teachers.

In February 2014 DHSSPS and DE participated in the Food in Schools Policy Conference hosted by Stranmillis University College. The aim of the conference was to raise awareness and understanding of the Food in Schools policy within schools and to support schools in implementing it effectively. The Conference included presentations on a number of issues relating to food and nutrition which are available on 'food @ my school' room as a useful resource for schools.

Ms Sugden asked the Minister of Education for his assessment of existing transport provision for school pupils in each Education and Library Board, including eligibility criteria for a free school bus pass for pupils.
(AQW 37188/11-15)

Mr O'Dowd: The existing school transport policy provides assistance for eligible pupils in the form of a seat on a bus (or other vehicle), or a sessional ticket ("bus pass"), or a monetary allowance in lieu of transport. Eligibility is based on attendance at a suitable school (one in the recognised categories of Catholic Maintained, Controlled or Other Voluntary, Integrated, Irish Medium, and Denominational and Non-Denominational Grammar) and distance (two miles for Primary pupils and three miles for Post-Primary). In the context of parents' legal duty to secure the regular attendance of their child(ren) at school, the distance criterion reflected the distance beyond which it was viewed that pupils may require assistance to facilitate their attendance. The suitable school criterion reflects parental choice in terms of the category of school they wish their child(ren) to attend.

This system presently assists almost 90,000 pupils at an annual cost of almost £75 million. However, given that the current policy has been in operation relatively unchanged for many years, I recently commissioned an Independent Review of the policy with the aim of ensuring that we are delivering the optimum service possible in all aspects of education here, so that there is equality of opportunity and access for all our young people and every child is enabled to achieve to their full potential. Transport is a key facilitator in this vision.

I am, at present, taking time to consider in detail the findings of the Independent Review Panel before making decisions on the way forward, and will publish the Panel's Report in due course.

Ms Sugden asked the Minister of Education what provision is in place to ensure that the needs of any pupil attending a post-primary school, who has a physical disability, is appropriately met by school transport services.
(AQW 37192/11-15)

Mr O'Dowd: The Education and Library Boards have informed me that pupils with both special education needs and a physical disability will be subject to the statementing process which will determine whether a pupil has special transport needs and if so how these should be addressed and for how long. Such statements may be the subject of regular review.

Pupils with a physical disability, but without special needs, will be subject to a medical process. As with the statementing process, the medical process will determine whether a pupil has transport needs and if so how these should be addressed and for how long.

Pupils with a short-term physical disability may, on production of suitable medical evidence, be provided with transport assistance for a short period.

Mr Copeland asked the Minister of Education to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37220/11-15)

Mr O'Dowd: The level of reserves in each of my Department's arm's length bodies as of 31 March 2014 is provided in the table below.

	£'000
Belfast Education and Library Board*	132,452
Western Education and Library Board*	109,783
Southern Education and Library Board*	162,132
North Eastern Education and Library Board*	304,677
South Eastern Education and Library Board*	255,331
Council for the Curriculum, Examinations and Assessment	(4,365)
Council for Catholic Maintained Schools	(3,619)
Staff Commission for Education and Library Boards	(276)
General Teaching Council for NI*	1,286
Comhairle na Gaelscolaiochta	107
NI Council for Integrated Education*	(9,912)
Middletown Centre for Autism	(364)
Youth Council for Northern Ireland	(839)
Total	**946,393**

* Figures extracted from unaudited accounts

Figures provided are based on the 2013-14 year end accounts, as amounts at 1 October 2014 are not available.

Reserves represent the total assets less liabilities of the arm's length body, and do not represent spending power.

The Education and Library Boards have significant reserves due to the value of land and buildings held.

Mr Campbell asked the Minister of Education, given the continuing pressure on space and the number of pupils attending at Macosquin Primary School in Coleraine, whether he will examine the possibility of acquiring a small piece of land adjacent to the school to assist in the required expansion or replacement.
(AQW 37227/11-15)

Mr O'Dowd: Macosquin Primary School is a controlled school. As such, it is the responsibility of North Eastern Education & Library Board (NEELB) as the managing authority to monitor the school's accommodation needs. NEELB has indicated that it will give consideration to the possibility of acquiring additional land to extend the site.

Mr Dunne asked the Minister of Education for an update on the Holywood Multi-Schools project.
(AQW 37263/11-15)

Mr O'Dowd: Prior to my June 2014 capital announcement, South Eastern Education & Library Board identified a multi-schools project for Holywood - Priory College; Holywood Primary School (PS) and Holywood Nursery School (NS) as one of its priorities for major capital investment. The schools were considered independently under 'The Major Works Projects - Protocol for Selection of Projects to Proceed in Planning.' The protocol subjected potential projects to Gateway checks for sustainability and area planning issues prior to the remaining projects being prioritised. Priory College did not pass the 'Gateway' and was therefore not included in my June announcement. Holywood PS was scored under the protocol but did not achieve a sufficient score to be included in the list of announced projects due to budget constraints. Options for the future of Holywood NS will depend on the decisions reached on the future of Priory College and Holywood PS.

While Priory College, Holywood PS and Holywood NS will be disappointed that they were not included in the capital investment announcement in June 2014, this in no way implies that they will not be considered for funding at a later stage.

Mr Kinahan asked the Minister of Education how many post-primary schools in each sector provide metalwork and woodwork classes.
(AQW 37284/11-15)

Mr O'Dowd: The Department does not collate information about the practical classes run by post-primary schools in any sector.

Metalwork and woodwork are traditionally covered under the Science and Technology Area of Learning (AoL), and this AoL is part of the statutory curriculum for all post-primary schools. In addition, if a pupil wanted to follow a particular pathway which required metalwork or woodwork skills they should have access under the Entitlement Framework to much broader provision through the school's participation in their local Area Learning Community.

Ms Sugden asked the Minister of Education for his assessment of the current relationship between educational attainment and social disadvantage, and the perceived inequality in outcomes for school age students from the most deprived areas.
(AQW 37294/11-15)

Mr O'Dowd: The Department's evidence, based on a census of all schools/pupils, confirms that social deprivation, as measured by Free School Meals, is strongly correlated with and reflective of educational disadvantage and lower educational attainment. This is very much in line with international evidence which also reports the strong correlation between pupils' socio-economic background and their outcomes in education.

Despite improving outcomes at all stages, the attainment gap between our most and least deprived pupils remains. This inequality in outcomes is a reality not a perception.

In 2013, 34.9% (one third) of school leavers entitled to free school meals (FSME) achieved 5 or more GCSEs at A*-C (or equivalent) including English and maths compared to 68.4% (two thirds) of leavers not entitled free school meals. In 2012/13 pupil level data was received for the first time for primary school-age pupils. The figures show that 62.6% of FSME pupils achieved the expected level (Level 4) or above in Communication compared to 82.9% of non-FSME pupils and 64.1% of FSME pupils achieved the expected level (Level 4) or above in Using Mathematics compared to 84.2% of non-FSME pupils.

This lower level of achievement amongst pupils from socially disadvantaged backgrounds is consistent with levels of poverty, a lack of social mobility and a pattern of educational inequality. These factors impact on a child's education pathway from their earliest years.

The evidence shows that pupils from disadvantaged backgrounds have greater obstacles to overcome. Their schools need additional resources to help them do this. That is why I have redistributed school funding to target schools with high numbers of pupils from socially disadvantaged backgrounds and injected a further £10 million specifically targeting social deprivation into school budgets from April 2014.

I have also continued to implement policies and provide funding for a range of additional interventions, with a focus on improving standards and tackling educational underachievement. However, there are two other key issues.

Firstly, a socially balanced education system enables all pupils to perform better. While some schools persist in the use of academic selection, we will be unable to eradicate this social division.

Secondly, inequality in outcomes is a societal issue and one that education authorities and schools cannot tackle on their own. The challenge of tackling inequalities, be they educational, health or economic, is one that we all face and success will depend on all stakeholders working together in order to achieve greater equity in our society.

Mr Agnew asked the Minister of Education (i) for a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37301/11-15)

Mr O'Dowd:

(i) As part of the October monitoring round two inescapable bids were submitted by the Department as set out below:

Severance: £5.0m

Severance funding is required to fund school based teaching and non teaching redundancies and redundancies relating to staff within Arm's Length Bodies (ALBs).

Schools Maintenance: £10.8m

I am on record as wanting ELBs to make a significant impact on the backlog of maintenance in their areas. This bid relates to Boards' statutory and emergency response maintenance and their ability to comply with Health & Safety and other statutory requirements.

(ii) There was no statutory obligation linked to the Severance bid. However, the bid was required to fund severance costs relating to school based teaching and non teaching redundancies and redundancies within ALBs across the education sector. These redundancies are required to ensure schools and ALBs reduce their long term costs base in order to live within their budgets.

The entire Schools Maintenance bid for £10.8m submitted as part of the October 2014 Monitoring Round is considered to be inescapable as it is linked to the Department's statutory obligations.

(iii) While I provide details to the Assembly Education Committee relating to bids made by my Department in monitoring rounds, it is not normal practice to deposit Monitoring Round bid documents in the Assembly Library for scrutiny ahead of the Assembly debate.

Ms Sugden asked the Minister of Education what support is available to pupils in primary and post-primary schools whose learning ability is affected by dyslexia.
(AQW 37360/11-15)

Mr O'Dowd: The Education and Library Boards (ELBs) have advised that a range of special education support and provision is available to parents and schools for a child identified with dyslexia, including the following:

- dyslexia awareness training for schools (and parents) as requested by schools to enhance the capacity of teachers to identify and respond appropriately in addressing dyslexia;
- all Educational Psychologists (EPs) are trained and skilled in the assessment and identification of dyslexia. Following the identification of dyslexia EPs provide a comprehensive range of support including recommendations and resources to parents and schools to assist the pupil achieve his/her potential;
- a range of innovative strategies, resources and computer assisted programmes are available to pupils with dyslexia for whom more traditional methods are unsuccessful;
- when children who are thought to have dyslexia are put forward for assessment at Stage 3 of the Code of Practice (COP), they are either screened for additional Board support by psychology assistants or EPs. A range of cognitive and attainment tests are used in the identification of dyslexia with agreed five board criteria for additional Stage 3 and Stage 5 support applied in each case.
- some schools have achieved or are working towards achievement of Dyslexia Friendly status usually in association with the British Dyslexia Association (BDA). Schools are supported by the Board services in achieving this award;
- a range of measures to help those children and young people identified as having dyslexia under examination conditions.

In addition DE is funding the SEN Continuing Professional Development (CPD) Literacy Project which is delivered jointly by Stranmillis and St Mary's University Colleges. This project is being funded for 3 years and will be completed at the end of March 2015.

The project, which offers specialist training accredited by the British Dyslexia Association to all primary schools, enables teachers to identify children with literacy difficulties, including dyslexia, assess their individual needs and provide appropriate interventions.

ELBs will continue to review their services in order to provide improved assistance to those children and young people with dyslexia.

Mr McQuillan asked the Minister of Education how his Department regulates and oversees home schooling; and whether the Education and Training Inspectorate has an oversight role.
(AQW 37369/11-15)

Mr O'Dowd: The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986 places a duty on the Boards to take action where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1). In these circumstances the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

Whilst the Education and Training Inspectorate provides inspection services for a number of organisations it does not undertake inspections of home education provision or have an oversight role in this regard.

Mrs Dobson asked the Minister of Education how minor capital works applications are ranked in terms of ensuring equality of provision for pupils across all schools.
(AQW 37376/11-15)

Mr O'Dowd: All Capital Minor Works applications are assessed in line with my agreed priorities which are published on my Department's website as follows:

- Minor works schemes that meet inescapable statutory requirements such as Health and Safety, Fire Protection and our statutory obligations under the Disability Discrimination Act;
- Essential minor works to ensure the integrity and suitability of the estate;
- Curriculum based minor works schemes that would meet currently unmet needs in schools; and
- Minor works schemes where application has been made for a contribution towards capital works.

Minor works are prioritised according to greatest need, for example health and safety, fire protection, disabled facilities and roofs over heads.

A Memorandum of Agreement (MOA) which sets out the approach upon which the Education and Library Boards (ELBS) and the Department will progress a programme of minor works for non controlled schools has been compiled and recently revised. The MOA will enable a larger programme of non controlled minor works projects to be taken forward by the ELBs, and draws on their expertise to help ensure equality of provision across the schools estate regardless of management type.

Department for Employment and Learning

Mr Flanagan asked the Minister for Employment and Learning, pursuant to AQW 35342/11-15, what discussions his Department had with the Central Applications Office on simplifying the application process for local students.
(AQW 36413/11-15)

Dr Farry (The Minister for Employment and Learning): My Department has not had any discussions with the Central Applications Office (CAO) as this is an independent organisation providing subscribing higher education institutions in the Republic of Ireland with a student application service.

However, as part of the implementation plan for Graduating to Success, my Department is examining barriers to cross border undergraduate mobility. The Higher Education Authority (HEA) represents higher education interests of the Republic of Ireland on the project group and any discussions on application processes will be taken forward through HEA.

In addition, my Department's Careers Service provides support to students applying for higher education places through UCAS and CAO. The Careers Service attends an annual Higher Education Convention in Belfast organised by Universities and Colleges Admissions Service (UCAS). In March 2014, exhibitors included representatives from higher education providers throughout the island of Ireland, in addition to universities in England, Scotland and Wales. These included the National University of Ireland in Galway and Maynooth, Griffith College,

Dundalk Institute of Technology, Dublin City University and Dublin Business School, with 8,653 students from 95 schools in Northern Ireland attending.

Mr Spratt asked the Minister for Employment and Learning what measures his Department has in place to address employment levels of school leavers.
(AQW 36768/11-15)

Dr Farry: My Department has a range of measures in place to support and enhance the employment levels of school leavers.

Careers advisers provide professional and impartial careers information, advice and guidance to young people throughout Northern Ireland, including school leavers, on the full range of career options available, including opportunities in employment. Careers advisers also actively case manage all young people aged 16 and 17 who do not have a positive destination and who are not in education, employment or training when they leave school or who drop out of provision early. The aim is to help them secure and sustain employment, education or training provision.

On 31st March, I announced details of the review of careers which my Department is conducting jointly with the Department of Education. Within the terms of reference is a commitment to improve the exposure young people have to the world of work and to improve the quality of careers information and advice available to young people, particularly around labour market trends, to improve their chances of securing and sustaining employment. The panel is due to provide its final report and recommendations at the end of October 2014.

In June 2014, my Department published Securing our Success: The Northern Ireland Strategy on Apprenticeships. This strategy will be central in transforming our skills landscape and in securing our economic success. In undertaking an apprenticeship, young people know that they will have the skills that are wanted by employers and are relevant to the local economy, and as such, they will have enhanced prospects of good earnings and sustained employment.

I have actively been encouraging and facilitating the development of higher level apprenticeships, enabling young people to benefit from working with important employers in Northern Ireland, as well as gaining a recognised qualification at level four or above.

My Department offers a guarantee of a training place through its Training for Success programme for all unemployed 16-17 year old school leavers with extended eligibility for those with a disability and from an in-care background. The programme is designed to enable participants to progress to higher level training, further education, or employment by providing training to address personal and social development needs, develop occupational skills and employability skills and, where necessary, Essential Skills in literacy, numeracy and ICT.

The Department is currently taking forward a review of youth training. The focus of this work is the development of a new youth training scheme at level 2 which is of sufficient breadth and depth to enable young people to progress to an apprenticeship programme at level 3, a level 3 further education programme, or into sustained employment. The scheme will be available to 16–17 year old school leavers who are not in employment, and 16– 24 for those already in employment. The review's findings are due to be published later this year.

The Department's 'Pathways to Success' Strategy has a particular focus on helping those young people who face barriers to participation, while also dovetailing with complementary proposals to tackle the wider problem of youth unemployment in the current challenging economic context.

The Youth Employment Scheme was introduced in July 2012. This is a voluntary scheme designed to help young people aged between 18 and 24 years to develop the employability skills needed to get a job by active participation in a work setting with an employer or a voluntary organisation.

Mr Kinahan asked the Minister for Employment and Learning what consideration has been given to the clauses relevant to his Department in the Small Business, Enterprise and Employment Bill currently progressing through Westminster.
(AQW 36825/11-15)

Dr Farry: My officials have reviewed the content of the Small Business, Enterprise and Employment (SBEE) Bill. A majority of its provisions deal with non-devolved matters and have UK wide application; my Department's interest is confined to those clauses in Part 11 of the SBEE Bill which deal with devolved policy areas (whistleblowing, employment tribunals and zero hours contracts), and therefore do not apply to Northern Ireland.

I have recently circulated an Executive paper on my Department's review of employment law which sets out some policy proposals in relation to whistleblowing and also gives a commitment to monitoring the effect of the additional proposals (clause 135) included in the SBEE Bill.

I do not intend to bring forward legislation to restrict the number of employment tribunal postponements (clause 137); effective case management within Northern Ireland's industrial tribunals and the Fair Employment Tribunal already addresses this issue. I do, however, intend that the proposal to introduce financial penalties for failure to pay tribunal awards (clause 136) will be included in the upcoming public consultation on employment tribunal rules and procedures.

My Department has very recently concluded a public consultation on the use of exclusivity clauses in zero hours contracts. If the feedback from the consultation supports the need to amend the existing legislation (whether comparable to clause 139 or otherwise), I will seek to include these provisions in the Employment Bill which I intend, with Executive agreement, to introduce in spring 2015.

Mr Agnew asked the Minister for Employment and Learning whether he is aware of the situation whereby young people in Beechcroft Child and Adolescent Mental Health Service inpatient unit are being denied access to education if they are enrolled in further education; and if so, what steps are being taken to ensure that this situation is remedied.
(AQW 36891/11-15)

Dr Farry: I have been advised that when a young person is admitted to Beechcroft and they are enrolled on a further education course within a further education college, the health staff link with the relevant college and careers adviser to put in place a plan for stages of their admission.

The outcomes of this plan can depend on the geographical location of the college and the subject that is being undertaken – some practical subjects cannot be taken outside of the college.

However close links are maintained, to ensure the young person can get back into study as soon as possible with intensive support from Child and Adolescent Mental Health Service (CAMHS) and liaison with the further education college to support recovery.

I can advise that further education colleges have a range of support services, including learning support, financial support and counselling, available to students with underlying illnesses through colleges' pastoral care arrangements and the Department's Additional Support Fund.

Students, whose attendance at college is adversely affected as a result of illness, may be given access to course materials via the virtual learning environment to facilitate remote study. Students in this situation may also have their timetables adjusted to allow more flexible study modes and, where possible, could be permitted to re-sit modules or repeat years.

I can also confirm my Departments careers advisers have a partnership agreement in place with Beechcroft to ensure young people within the unit have access to appropriate careers guidance. This agreement allows Beechcroft, in consultation with the careers adviser, the opportunity to select from a suite of services appropriate to the needs of its young people.

Careers services are then delivered as complementary to the careers education programme and appropriate to the individual's career planning needs.

Working with multi-disciplinary teams including professionals from education and health e.g. teachers, psychiatrists, therapists and psychologists, the careers adviser contributes to the young person's career plans by providing impartial careers guidance on the range of educational, training and employment opportunities available to them.

Mr Agnew asked the Minister for Employment and Learning for his assessment of the architectural value of the Orpheus building in Belfast, given the proposals by the University of Ulster to demolish the building as part of their development and the recommendation by the Department for the Environment that the building should be retained.
(AQW 36892/11-15)

Dr Farry: This is a matter for the Department of the Environment's Planning Service which has responsibility for delivery of planning functions and the development and delivery of planning policy and legislation. I understand that the Orpheus Building is not a listed building or within a Conservation Area.

However, I understand that the University followed due process in being awarded planning permission for the approved development scheme at the Belfast campus, which includes the demolition of the Orpheus Building.

Interested parties were able to make representations to the planning authorities as part of the planning process.

Mr Allister asked the Minister for Employment and Learning to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 36918/11-15)

Dr Farry: There are 4 Information Officers employed in press functions, 3 Information Officers employed in marketing functions and one Information Officer (part-time) employed in internal communications. There are 7 administrative staff employed in providing support for advertising, marketing, publications, event management, internet, social media, intranet, finance and web administration functions.

The annual cost of this service is £518,696.79.

Mr Copeland asked the Minister for Employment and Learning to detail the range of budgetary pressures faced by his Department which (i) he has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36949/11-15)

Dr Farry: The Department at October 2014 has no budgetary pressures which are truly inescapable. The Department continues to manage within its allocated budget for 2014-15.

Ms Sugden asked the Minister for Employment and Learning what steps his Department is taking to address gender disparity in the Advanced Manufacturing and Engineering Services sector.
(AQW 37017/11-15)

Dr Farry: I recognise that gender imbalance is a key issue across many sectors, including Advanced Manufacturing and Engineering Services and as a result, there are a number of things my Department has been doing to address this.

Since November 2012, my Department has been funding the post of STEM Business Co-Ordinator to support the STEM Business Subgroup in their task of implementing the recommendations of the Success through STEM Strategy, one of which is to address the issue of gender bias.

To help with this and to promote STEM subjects and careers among females, a report was published in November 2013 entitled "Gender Imbalance – Reaping the Gender Dividend in STEM". The report contains good practice guidelines and a Northern Ireland STEM CEO Charter.

The Equality Commission and STEM Business Subgroup launched a STEM equality charter in June 2014. Companies are urged to sign up to this charter to demonstrate their commitment to improving gender imbalance in their business.

It should be noted that to date, 24 employers have signed up to the STEM Employers Equality Network run by the Equality Commission for Northern Ireland. This Network has been set up to support the charter and implement good practice and held its first meeting on 25 September 2014. A good practice manual has been agreed and published on the Equality Commission website.

Also in 2012, I established the Advanced Manufacturing and Engineering Services Working Group to consider how issues related to skills in this sector can be addressed. This Group, which I chair, brings together government, academia and local employers to identify specific skills needs and develop appropriate solutions through an agreed Action Plan.

I launched the Action Plan for this sector in April 2014 with actions designed to enhance the skills of the workforce, maximise employment opportunities and give the local industry a competitive edge in the global marketplace.

One of the areas identified for action was the low number of females working in the sector. My officials have worked closely with the STEM Business Co-Ordinator to develop and implement a number of activities to address the gender imbalance in the Advanced Manufacturing and Engineering Services industry. For example:

In September I launched the concept of industry-led STEM scholarships in the fields of Computing and Engineering to attract and retain top graduate talent. The Computing and Engineering Scholarship Programme is open to both genders and there will be up to a maximum of 40 students undertaking a STEM scholarship (20 in Computing and 20 in Engineering). Applications are particularly welcome from females.

A 'Leaders in Industry' programme for the sector is being developed with Queens University Belfast for possible inclusion on my Departments Management and Leadership Development suite of programmes. Applications from females will be particularly welcome.

A project titled 'Upskills to compete' has been funded by my Department to develop potential female workers to progress their careers from 20 SMEs and four larger companies starting in April 2014.This will involve the production of 24 employer STEM diversity plans, ten role models and ten case studies. It will promote STEM subjects to 1000 schoolgirls showcasing the existing opportunities in a career in the sector by 31 March 2015. The first cohort to undertake the Career Advance Progression four day programme is underway with the 2nd cohort due to commence later this month.

My Department's industry partners on the Working Group have completed a benchmarking survey to determine perceptions and awareness levels of career opportunities in the industry among teachers, parents and pupils. A bespoke and targeted sector attractiveness strategy which aims to inform young people and their key influencers about the wide range of quality career options that are available across the sector has been developed and a number of initiatives are underway such as building relationships between industry and local education providers.

In partnership with Bombardier and Belfast Metropolitan College, my Department funded an Aerospace Summer School to promote the STEM agenda within an area of strategic importance to the local economy. 30 young people, aged 16 to 24 participated in this programme which engaged students in hands-on activities which demonstrate the science, technology and engineering in the world of flight and is designed to match their needs and inspire participants to consider entry level jobs in Aero Technology in the sector. There was a very strong female participation.

My Department funded a visit of 23 of Northern Ireland's top STEM students and apprentices (which included a strong female representation) to attend 'Futures Day' at Farnborough International Airshow in July. This included the NI Rocket Challenge winners Rainey Endowed School (a co-ed grammer school) and the Group is working towards expanding this particular initiative to include more schools from seven in 2014 to fourteen in 2015.

The UK Aerospace Youth Rocketry Challenge will be expanded to include more schools and raise the profile of this initiative. There were seven schools involved in 2014 and it is hoped this will double to fourteen in 2015. This initiative will ensure that more female pupils become aware of various aspects of the sector and crucially gain practical experience which may influence their career choices.

There is a programme of STEM activities currently being delivered in primary schools by Sentinus via their contract with the Department of Education. As the largest STEM outreach provider in Northern Ireland for schools and young people, Sentinus aims to increase awareness and interest in engineering. The Department of Education is an active member of the Working Group.

To specifically raise the profile of the sector amongst pupils at Year 8 and beyond the Working Group aims to utilise existing Ambassador networks and intends that oversee 60 schools visited by Ambassadors from the sector by March 2016. Ambassadors are put forward by employers because of their ability to communicate with and "sell" the sector to young people.

In July 2014, my Department arranged for eight students from further education colleges in Northern Ireland to attend a two week STEM summer camp at Worcester Polytechnic Institute in Massachusetts in. Four of the eight students who attended the camp were female and studied the 'Women's Leadership Academy' strand of the FRONTIERS programme.

I believe this shows that my Department through the work of the Advanced Manufacturing and Engineering Services Working Group is actively addressing the issue of gender imbalance and I trust this reply reassures you that there is and will continue to be a strong focus on gender disparity in this sector.

Mr Easton asked the Minister for Employment and Learning what funding his Department provides to the Kilcooley Women's Education Centre in Bangor.
(AQW 37073/11-15)

Dr Farry: My Department is not directly funding Kilcooley Women's Education Centre in Bangor.

However, under the Collaboration and Innovation Fund, aimed at addressing issues associated with young people not in education, employment or training, the Training for Women Network (TWN) secured funding of £770,067 for the 'Gateway to Progression' project to help 440 young women in this category; Kilcooley Women's Education Centre is one of eight community centres collaborating to deliver this project and received £30,643.38 from TWN to fund activities during the 2013/14 financial year.

TWN has also secured funding from the Northern Ireland European Social Fund Programme 2007-2013 for their 'Advancement of Women' project, which delivers training to women across Northern Ireland via 12 regional partner organisations; Kilcooley Women's Education Centre is one of the 12 participant organisations benefiting from the funding, which includes £711,847 (European Social Fund) and £444,905 contribution by my Department over the two year period 2013/14 – 2014/15. The Centre received £110,570.67 from TWN to fund 'Advancement of Women' activities during 2013/14 which included £27,642.67 from my Department and £44,228.27 from the European Social Fund.

Mr Humphrey asked the Minister for Employment and Learning for an update on the timescale for the development of the Belfast Metropolitan College campus at Girdwood.
(AQW 37119/11-15)

Dr Farry: The Girdwood Community Hub in North Belfast is a Belfast City Council project which is being supported with European PEACE III funding. Belfast Metropolitan College is not involved in the construction stage of the project but, on its completion, plans to lease part of the resource for the delivery of further education. I understand that construction of the Community Hub facility began in March of this year and it is anticipated this will be completed by July 2015, however the detailed timetable for the delivery of the facility is the responsibility of the Belfast City Council.

The Belfast Metropolitan College is currently negotiating the leasing arrangements for their engagement in the facility and hopes to begin the delivery of community education and training by September 2015.

Mr Campbell asked the Minister for Employment and Learning, pursuant to AQW 36050/11-15, how many people enrolled in the same or similar schemes in the Northern Regional College in each of the two preceding years.
(AQW 37138/11-15)

Dr Farry: In the full academic year 2011/12, there were 152 starts on Apprenticeships NI at Northern Regional College, and the equivalent figure for the full academic year 2012/13 is 197.

Department of Enterprise, Trade and Investment

Mr Flanagan asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35533/11-15, to detail (i) the amount invested in each fund; and (ii) the amount each fund is worth at present, or on the date the fund closed.
(AQW 36390/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Invest NI has invested in eight investment funds since 2002. Details are as follows:

Fund	Fund Manager	Amount invested by Invest NI	Year of Initial Investment	Fund value at present or at fund closure
Nitech	Clarendon Fund Managers	£3,000,000	2002	£473,000
Crescent Capital II	Crescent Capital	£7,500,000 by Invest NI; £22,500,000 total capital	2004	£6,000,000 (following distributions of £11,770,000)
NISPO - Invest Growth Fund	E-Synergy	£6,550,000	2009	£5,570,000
NISPO – Queens University of Belfast Innovation Fund	E-Synergy	£1,000,000	2009	£1,123,000
NISPO - Ulster Innovation Fund	E-Synergy	£1,000,000	2009	£1,000,000
Growth Loan Fund	WhiteRock Capital Partners	£20,000,000 invested; of which £10,000,000 by Invest NI	2012	£18,500,000
Small Business Loan Fund	Ulster Community Investment plc	£2,450,000	2013	£2,000,000
Development Fund I	Crescent Capital	£3,000,000; of which £1,500,000 by INI	2013	£2,230,000
Development Fund II	Kernel Capital	£1,750,000; of which £875,000 by Invest NI	2013	£1,450,000

Fund	Fund Manager	Amount invested by Invest NI	Year of Initial Investment	Fund value at present or at fund closure
Techstart NI	Pentech Ventures	Launched July '14	2014	N/A

Mr Weir asked the Minister of Enterprise, Trade and Investment whether there are any plans to introduce an electricity discount scheme, equivalent to that offered by the Warm Home Discount Scheme in England.
(AQW 36485/11-15)

Mrs Foster: I have no plans to implement such a scheme.

The Warm Homes Discount Scheme is a four year scheme operating in Great Britain only and does not apply in Northern Ireland. It closes in March 2015 and I am not aware of any plans to extend or replace the scheme.

The introduction of such a scheme is akin to a social tariff, as energy companies in Northern Ireland would be entitled to pass its costs on to other customers (as they are in Great Britain). As such, the full implications of introducing such a scheme in Northern Ireland would need to be endorsed by the Northern Ireland Executive.

Consideration would have to be given to the proportion of customers to benefit from such a scheme and which customers would pay more as a result.

Mr McGlone asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35788/11-15, what the Tourist Board's three year marketing sponsorship agreement with Cyclone Promotions will involve; and how it will serve to promote Belfast and Northern Ireland.
(AQW 36539/11-15)

Mrs Foster: The role of the Northern Ireland Tourist Board is to promote Northern Ireland as a tourism destination in the domestic and Republic of Ireland marketplace. The world title fight between Carl Frampton and Kiko Martinez in the custom built venue on the Titanic slipways offered a unique opportunity to showcase one of the most iconic attractions, Titanic Belfast, just four months after the Giro D'Italia Grande Partenza, which also took place on the Titanic slipways, reflecting NITB's positioning of Northern Ireland, The Home of Great Events.

Northern Ireland is also due to host other major sporting events, including the Irish Open Golf Championship in 2015 and 2017 and The Open Championship. In order to leverage the maximum benefit from this series of sporting events, NITB's Sponsorship Agreement with Cyclone Promotions contains the following future benefits beyond the World Title fight event:

- An allocated number of days of both Barry McGuigan & Carl Frampton's time as NI ambassadors and for NITB to use for marketing and PR activity to promote Northern Ireland; and
- Sharing of NITB's social media & digital content through fan bases.

Ms Sugden asked the Minister of Enterprise, Trade and Investment for an update on her Department's plans to introduce and facilitate an Innovation Council.
(AQW 36545/11-15)

Mrs Foster: The Executive's Innovation Strategy emphasises that improving Northern Ireland's innovation performance will require long-term sustained leadership at the most senior levels in the private and public sectors. Building on best practice in other higher performing regions the Strategy commits to examine the feasibility of the establishment of a Northern Ireland Innovation Council chaired by the Minister for Enterprise Trade and Investment and including senior representatives of business, the public sector including local government, the third sector and academia.

As part of the implementation of the strategy my officials have commenced work on a detailed review scoping the role and operation of an Innovation Council. This work will include examining the roles of the Executive Sub-Committee on the Economy, the Economic Advisory Group (EAG) and MATRIX, in order to ensure an Innovation Council will complement existing structures and genuinely add value.

A key element of the review will be to ensure that the council does not add another level of bureaucracy and governance. The review should be complete early in 2015 and its findings brought to the Executive Sub-Committee on the Economy as soon as it is completed.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the number of jobs created by Invest NI assisted projects in each parliamentary constituency in (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.
(AQW 36636/11-15)

Mrs Foster: The table below details the number of jobs created by Invest NI assisted projects in each parliamentary constituency in (i) 2011-12; (ii) 2012-13; and (iii) 2013-14.

PCA	2011-12	2012-13	2013-14
Belfast East	542	702	847
Belfast North	212	254	355
Belfast South	567	737	494
Belfast West	188	266	197
East Antrim	338	138	128
East Londonderry	193	137	199
Fermanagh & South Tyrone	264	376	630
Foyle	414	335	243
Lagan Valley	276	128	210
Mid Ulster	332	464	437
Newry & Armagh	843	758	371
North Antrim	152	159	266
North Down	102	53	126
South Antrim	225	728	409
South Down	278	197	270
Strangford	92	102	161
Upper Bann	471	178	470
West Tyrone	143	243	322

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) whether the petroleum exploration licence held by Infrastrata PLC in respect of County Antrim imposes any restraint on drilling within the catchment area of North Woodburn Reservoir; (ii) for her assessment of the imminent plan to drill a well within this catchment area; and (iii) what further consents are required to enable the planned drilling of a well at this location to proceed.
(AQW 36762/11-15)

Mrs Foster:

(i) Petroleum licence PL1/10 does not contain a specific restraint on drilling within the catchment of the North Woodburn Reservoir. However, the Licence states that the Licensee "shall not carry out any work within or in close proximity to an Area of Special Scientific Interest (ASSI) without the prior written consent of the Department." North Woodburn Reservoir is an ASSI. In addition, any drilling on a Petroleum Licence requires consent from my Department.

(ii) On 6 August 2014, DETI received a written request from InfraStrata plc for DETI "Consent to Drill". Departmental officials are continuing to assess this application.

(iii) DOE Planning has confirmed that the proposed drilling operations fall under Permitted Development Rights.

(iv) The Licensee is required to consult with the Northern Ireland Environment Agency (NIEA) and the Health & Safety Executive Northern Ireland regarding any potential additional consents required.

(v) In addition, Northern Ireland Water (NIW), as the licensed public drinking provider, must provide NIEA Drinking Water Inspectorate with a summary drinking water safety plan report of its risk assessments for all water treatment works.

Mr Allister asked the Minister of Enterprise, Trade and Investment who is the licensee in respect of petroleum exploration licence PL1/10; and what are the consequences for the licence if the named licensee company loses control through becoming the holder of a mere minority interest.
(AQW 36763/11-15)

Mrs Foster: Petroleum Licence PL1/10 is held by a consortium of companies. The current partner interests in PL1/10 are as follows:

- InfraStrata plc (operator) 45.00%
- Brigantes Energy Limited (40% owned by InfraStrata plc) 45.00%
- Terrain Energy Limited 10.00%

InfraStrata plc is the nominated operator of Licence PL1/10.

Each partner in the Licence bears full joint and several liability under the Licence.

Where a Licensee, or Licensee group, wishes to make an assignment of an interest, or part interest in a Petroleum Licence, they must obtain the written approval of my Department.

Before granting such approval, my Department will carry out checks on the financial viability and where relevant, the technical capacity, of any new partners to meet their liabilities and commitments under the Licence.

Mr Allister asked the Minister of Enterprise, Trade and Investment to detail the current (i) number; and (ii) annual cost of staff employed in her Department's Information Service.
(AQW 36867/11-15)

Mrs Foster:

(i) There are seven members of staff employed in the Information Service in the Department. This includes three full-time and two part-time Information Officers, and two administrative staff.

(ii) The annual cost of the staff employed in the 2013/14 financial year was £249,890.00.

Mr Copeland asked the Minister of Enterprise, Trade and Investment to detail the range of budgetary pressures faced by her Department which (i) she has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36881/11-15)

Mrs Foster: DETI has inescapable Resource pressures in 2014-15 and 2015-16 which are a consequence of the success of Invest NI in delivering jobs and investment projects, and the Tourist Board in delivering a step change in the events Northern Ireland is delivering.

The Department of Finance and Personnel is fully aware of the inescapable nature of these pressures.

Mr B McCrea asked the Minister of Enterprise, Trade and Investment why her Department's capital reduced requirements for 2014-15 have totalled £9.5 million.
(AQW 36951/11-15)

Mrs Foster: My Department's £9.5million capital reduction requirement relates to proposed grant support for development of new natural gas networks to towns in the West of Northern Ireland. In January 2013, the NI Executive agreed up to £32.5million of grant support towards the project.

The Utility Regulator launched a licence competition in February 2014 and on 12 August 2014 announced Mutual Energy and Scotia Gas Networks as the ''preferred applicants'' for licences to develop the new gas networks. A formal licence award is expected in December 2014 or early 2015.

It had been anticipated that the licence competition and award process would be completed earlier, which would have allowed grant payments to commence in 2014-15. However additional time was required to effect changes to the Gas (Applications for Licences and Extensions) Regulations, and for the Regulator to complete the administrative processes associated with the licence competition.

Mr Dallat asked the Minister of Enterprise, Trade and Investment (i) what income was received from the sale of the former Seagate factory near Limavady; (ii) what provision was made in the event of the new owners ceasing to trade; and (iii) what is the current state of ownership of this asset.
(AQW 37018/11-15)

Mrs Foster: The site of the former Seagate factory site at Dowland Road in Limavady extends to some 16.8 acres and was sold by the Industrial Development Board to the company in 1997. The transaction, which totalled £5,000,000, was by way of a restrictive 999 year lease and restricts the usage of the factory to industrial and commercial endeavours.

Whilst Invest NI has not had any involvement in any onward transactions it understands that the facility is currently owned by a consortium of local businesspeople. The agency is, however, currently marketing the facility on behalf of the agent, Lambert Smith Hampton, through the NI Business Information website.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs promoted through inward investment projects supported by Invest NI during the 2013/14 financial year, broken down by council area; and what each figure represents as a percentage of the total number of new jobs promoted by inward investment projects during that period.
(AQW 37051/11-15)

Mrs Foster: The table below details the number of new jobs promoted through inward investment projects supported by Invest NI during the 2013/14 financial year, broken down by council area; and what each figure represents as a percentage of the total number of new jobs promoted by inward investment projects that have secured a location during that period.

District Council Area	New Jobs	% of All Inward Investment Jobs
Antrim	241	5.46%
Armagh	13	0.29%
Ballymena	22	0.50%
Banbridge	2	0.05%
Belfast	3,282	74.35%
Carrickfergus	100	2.27%
Cookstown	3	0.07%
Craigavon	25	0.57%
Derry	510	11.55%
Down	10	0.23%
Fermanagh	1	0.02%
Larne	102	2.31%
Lisburn	5	0.11%
Newry & Mourne	8	0.18%
Newtownabbey	1	0.02%
North Down	6	0.14%
Omagh	19	0.43%
Strabane	64	1.45%

Notes:

1. An additional 346 new jobs have been secured through projects that have not yet finalised a location in Northern Ireland.
2. Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information

Mr Eastwood asked the Minister of Enterprise, Trade and Investment how many of the jobs promoted by Invest NI in each council area during the 2013/14 financial year offer a salary which is (i) less than 25 per cent above; and (ii) 25 per cent or more than the average private sector wage, expressed as a number and a percentage of all the new jobs promoted by inward investment projects during this period.
(AQW 37052/11-15)

Mrs Foster: Information is provided in the table below which provides the number of jobs promoted by Invest NI in 2013-14 which have salaries (i) less than 25 percent above; and (ii) 25 percent or more above the average private sector wage. The baseline is the Northern Ireland Private Sector Median (NI PSM). The information is presented by District Council Area, and is also expressed as a percentage of the total number of new jobs in projects that have secured a location during that period.

These do not include those jobs promoted by the Jobs Fund or the Regional Start Initiative, since these programmes do not have job quality targets. It should also be noted that as previously stated in AQW 32727/11-15 Invest NI does not have a Programme for Government target to promote jobs with average salaries 25% above the NI PSM. The target only relates to the number above the NI PSM.

Number of Jobs Promoted through Projects which Offer a Salary of (i) less than 25% above the NI PSM, and (ii) 25% or more above the NI PSM (2013-14)

	Less than 25% Above NI PSM		25% or More Above NI PSM	
PCA	No.	%	No.	%
Antrim	3	0.07%	271	6.58%
Ards	17	0.41%	13	0.32%
Armagh	58	1.41%	16	0.39%
Ballymena	140	3.40%	40	0.97%
Ballymoney	42	1.02%	5	0.12%

PCA	Less than 25% Above NI PSM		25% or More Above NI PSM	
	No.	%	No.	%
Banbridge	4	0.10%	7	0.17%
Belfast	427	10.37%	1,159	28.16%
Carrickfergus	75	1.82%	46	1.12%
Castlereagh	23	0.56%	21	0.51%
Coleraine	27	0.66%	14	0.34%
Cookstown	41	1.00%	57	1.38%
Craigavon	55	1.34%	93	2.26%
Derry	543	13.19%	37	0.90%
Down	28	0.68%	31	0.75%
Dungannon	119	2.89%	32	0.78%
Fermanagh	20	0.49%	23	0.56%
Larne	102	2.48%	2	0.05%
Limavady	6	0.15%	5	0.12%
Lisburn	32	0.78%	28	0.68%
Magherafelt	34	0.83%	36	0.87%
Moyle	0	0.00%	2	0.05%
Newry & Mourne	79	1.92%	31	0.75%
Newtownabbey	21	0.51%	20	0.49%
North Down	19	0.46%	27	0.66%
Omagh	53	1.29%	33	0.80%
Strabane	86	2.09%	13	0.32%
Total	**2,054**	**49.90%**	**2,062**	**50.10%**

Notes:

1. An additional 346 new jobs have been secured through projects that have not yet finalised a location in Northern Ireland.
2. Figures do not include the Jobs Fund Scheme or jobs promoted through the Regional Start Initiative.
3. 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.
4. The number of promoted jobs by Invest NI in 2013/14 expressed as a percentage of new jobs promoted by inward investment will result in figures greater than 100 per cent in each council area.

Ms Lo asked the Minister of Enterprise, Trade and Investment what research was conducted to justify the cuts to major events such as the Belfast Culture Night and Belfast Mela.
(AQW 37175/11-15)

Mrs Foster: The Executive has not yet determined Departmental budgets for 2015/16 but the overall financial position for the Northern Ireland Block is forecast to be very difficult. It is on this basis that applications are not being sought for the Events Fund for National Sponsorship Scheme and new International Events in 2015/16.

International events which have a current letter of offer from NITB which extends into 2015/16 will not be impacted by this decision.

Events remain a priority for NITB and we will endeavour to source budget for future years.

Mr McKay asked the Minister of Enterprise, Trade and Investment what communication her Department has had with other major manufacturers about creating employment for JTI Gallaher workers who will be made redundant.
(AQW 37198/11-15)

Mrs Foster: Following JTI's announcement to initiate a 90-day consultation on a proposal to close its manufacturing facility in Ballymena by May 2016, Minister Farry and I met with representatives from the Company to discuss how we might help those who will be affected by this decision. We are working across Government, Industry and Academia to ensure that all available means of support is made available to those employees who may lose their jobs in the event that the decision to close is taken by Japan Tobacco.

Over the past 6 months, I have announced almost 1,500 new jobs across a range of manufacturing and processing companies in different parts of Northern Ireland. Invest NI has been in contact with a number of these, and other major manufacturing companies, to alert them to this situation should they wish to avail of the transferable world class manufacturing skills of the Ballymena workforce at the appropriate time.

Ms Lo asked the Minister of Enterprise, Trade and Investment to detail the total economic return from the events which receive funding from the Northern Ireland Tourist Board Events Fund; and for her assessment of the impact on the local economy in the wake of this funding being withdrawn.
(AQW 37409/11-15)

Mrs Foster: Since the Northern Ireland Tourist Board (NITB) assumed responsibility for the events function in 2010 there has not been a Budget exercise to allow for an appropriate dedicated budget to be established for events. As a result NITB has always relied on in year monitoring to meet its commitments for events funding.

The Executive has not yet determined Departmental budgets for 2015/16 but the overall financial position for the Northern Ireland Block is forecast to be very difficult. It is on this basis that applications are not being sought for the Events Fund for National Sponsorship Scheme and new International Events in 2015/16.

In the financial year 2014/15 NITB funded 63 National events under the Tourism Events Sponsorship Scheme and 13 International events under the International Tourism Events Fund with a total contribution from NITB of £2.8million.

Based on the information provided by event organisers in the application process, the 76 events are projected to:

- Generate a £12:£1 return for every £1 invested by NITB; and
- To attract 2.2million visitors.

NITB is in the process of completing independent economic evaluations for 10 of these events.

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment for her assessment of David Cameron's statement regarding the devolution of further economic levers and the potential impact for economic growth.
(AQO 6827/11-15)

Mrs Foster: I am pleased that the Prime Minister referenced Northern Ireland in his statement following the Scottish referendum.

For us, the focus remains on securing the lever with the greatest economic impact and where there is a clear rationale for devolution, which is of course Corporation Tax powers where decisions are due shortly.

We should be careful not to get distracted by powers in areas where we have no plans to exercise them in order to achieve a clear fiscal, economic or policy aim. We must also not lose sight of the need to develop those areas already within our control, such as skills and infrastructure, which are essential for supporting both local and foreign investment.

Mr Irwin asked the Minister of Enterprise, Trade and Investment, in light of the current import ban being imposed by Russia on European agricultural and food products, what action she is taking to open up new markets for dairy products to alleviate pressure on the local dairy industry.
(AQO 6828/11-15)

Mrs Foster: The local dairy industry is very important to the economy of Northern Ireland, and I am greatly concerned at the action of the Russian Government in banning European agricultural and food products.

In August I wrote to Elizabeth Truss MP, Secretary of State for DEFRA to express my concern and the impact it would have on our dairy sector in particular.

Russia is very much an emerging market for our food exporters and we would see much greater potential in other emerging territories such as UAE, and in building on our already strong performance in Europe.

I recently led a successful trade delegation to the Emirates and, as a result of which, local dairy companies have now received confirmed orders.

Last week Invest NI led a best practice visit for twenty four local dairy sector representatives to the US. One of the objectives of this visit was to identify new market opportunities that might be exploited.

Invest NI continues to invest in the dairy sector and in the last year, I announced two major expansion projects for Dale Farm and Ballyrashane Creamery in order to ensure they remain globally competitive and ready to avail of new market opportunities.

Mr Ross asked the Minister of Enterprise, Trade and Investment what progress has been made in ensuring that Northern Ireland has legacy events following the Giro d'Italia Big Start.
(AQO 6829/11-15)

Mrs Foster: The highly anticipated Grande Partenza of the Giro d'Italia was a tremendous success – showcasing our spectacular scenery to a potential seven hundred and seventy five million viewers in one hundred and sixty four countries across the world.

NITB and Tourism Ireland will continue to capitalise on the success of this event by highlighting Northern Ireland as a top cycling and outdoor activities destination in both their promotional activity and by Tourism Ireland at events linked to the Giro such as the Gran Fondo in Italy in 2014; and at other international cycling events and outdoor activity shows.

NITB is working closely with RCS, owners of the Giro, in terms of delivering a Giro Sportive currently known as Gran Fondo to Northern Ireland from 2015 onwards and it is hoped that I will be in a position to provide an update on this shortly.

Mr Dunne asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that lowering the VAT rate on accommodation and hospitality would have on tourism.
(AQO 6830/11-15)

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 across the whole of the UK.

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.

Ms Fearon asked the Minister of Enterprise, Trade and Investment to outline her proposals to enhance business and industrial development in the border region.
(AQO 6831/11-15)

Mrs Foster: My Department and Invest NI provide a range of financial and advisory support to entrepreneurs, start-ups and existing businesses in the border regions and throughout Northern Ireland to help start and grow their businesses. Indeed, forty five percent of Invest NI's assistance offered between 1st April 2011 and 31st March 2014 was directed at businesses located within the border counties.

In addition to this, we work with a range of other partners to enhance the offering to local businesses. For example, working with councils through the Local Economic Development Measure, with DARD through its Rural Development Programme, encouraging the exploitation of appropriate European funds, and IntertradeIreland through its suite of programmes to broaden export and growth in SMEs and micro businesses. Twenty seven percent, of the businesses participating in InterTradeIreland programmes in the period 2011-2013 came from border counties.

Ms Lo asked the Minister of Enterprise, Trade and Investment for an update on the Northern Ireland Spin Out funds.
(AQO 6832/11-15)

Mrs Foster: The Northern Ireland Spin Out funds, NISPO, suite of funds completed its investment period in March 2014, investing eight point three million pounds in forty five equity deals. Two hundred and sixty Proof of Concept offers have also been made. The NISPO portfolio will continue to be managed until 2019.

In July 2014 I announced the launch of techstart NI, the follow on seed and early stage fund, and issued a press release on the 2nd October 2014 announcing that fund manager, Pentech Ventures LLP, has made its first two investments in local SMEs. The fund manager has also offered eleven Proof of Concept grants and held a number of Investment Awareness events.

Mrs Overend asked the Minister of Enterprise, Trade and Investment to outline the causes of the inescapable financial pressures currently facing her Department.
(AQO 6833/11-15)

Mrs Foster: DETI's inescapable pressures are a consequence of the success of Invest NI in delivering jobs and investment projects and the Tourist Board in delivering a step change in the events Northern Ireland is delivering.

Invest NI are experiencing pressures as a result of companies taking forward jobs and growth projects which had been on hold as a result of the downturn in the economy. In addition, Invest NI's performance in 2013-14 was outstanding, with its highest ever level of offers for jobs, capital investment and investment in R&D. The Invest NI projects should ultimately deliver four thousand one hundred jobs and forty six million pound investment in R&D. Invest NI has continued to deliver investment projects in 2014-15, and the current inescapable financial pressures reflect the multi-year nature of Invest NI's business.

The pressures in NITB are as a result of Northern Ireland attracting world class events such as the Open, the Irish Open, the Giro d'Italia, Tall Ships, the Milk Cup and the Northwest 200, which will support the delivery of Programme for Government targets for generating visitor numbers and spend.

At a time when we are facing pressures from positive developments in business investment and tourism, it is inexcusable that all Departments are also being impacted by the failure to implement Welfare Reform which is costing Northern Ireland £87million this year.

Mrs Dobson asked the Minister of Enterprise, Trade and Investment what support her Department has provided to promote the tourism potential in the Banbridge area.
(AQO 6834/11-15)

Mrs Foster: Banbridge District Council was successful in securing financial assistance of forty five thousand pounds for the relocation and fit-out of the Tourist Information Centre through the 2011 – 2013 Tourism Development Scheme. The project involved moving the Tourist Information Centre to the Old Town Hall, a more central location beside the bus station and car parks.

NITB has invested one hundred and twenty seven thousand, five hundred pounds in the three phases of the Mourne Public Art Programme. An element of each of these phases is located within the Banbridge District Council area.

NITB has been working with Banbridge District Council to develop and deliver the St. Patrick's/Christian Heritage Signature Project and The Mournes Signature Project.

More recently, Banbridge District Council has been working with Down and Newry & Mourne District Councils to develop a Tourism Destination Plan for the Mourne Mountains. The Plan is now in place and supported by a Tourism Forum comprising local public and private sector tourism bodies and businesses. NITB has facilitated, advised and supported the development and delivery of the Plan.

The Northern Ireland Tourist Board in 2011/12; 2012/13 and 2013/14 received over two hundred and forty applications to the Tourism Events Funding Programme. During this period only one application was received from event organisers in the Banbridge District Council area.

This application was unsuccessful in securing funding through the events fund.

Department of the Environment

Mr Weir asked the Minister of the Environment whether the process of completing a medical assessment of drivers who are seeking a return of their driving licence has been impacted by the removal of vehicle licensing from Coleraine.
(AQW 36150/11-15)

Mr Durkan (The Minister of the Environment): The administration of driver licensing in Northern Ireland is a devolved matter which is the responsibility of my Department and is delivered by the Driver & Vehicle Agency (DVA) through its offices in Coleraine.

Only the vehicle registration and licensing function, which is a UK matter falling under the responsibility of the Department for Transport, was centralised in Swansea in July 2014 by the Driver and Vehicle Licensing Agency.

There is no change to the process of completing a medical assessment in relation to an application for a driving licence.

Lord Morrow asked the Minister of the Environment, in relation to video footage taken by enforcement staff at Ravenhill Stadium on 23 August 2013, to clarify the job description of the person who requested and subsequently authorised it; and why it was deemed necessary.
(AQW 36336/11-15)

Mr Durkan: A Regulation of Investigatory Powers Act 2000 (RIPA) Directed Surveillance Application was submitted by a Senior Traffic Examiner to the Head of Enforcement for consideration. This was deemed necessary as there was potential that personal information could be collected during a planned assessment of taxi services operating at Ravenhill Rugby Ground.

The use of video equipment was approved by the Higher Professional and Technical Officer who was the officer in charge at the scene and was considered necessary to assist with the gathering and collation of information.

Lord Morrow asked the Minister of the Environment for his assessment of Centralised Anaerobic Digester plants; and to detail any restrictions on where a plant can be located in relation to a residential area.
(AQW 36475/11-15)

Mr Durkan: I support the development of a diverse range of renewable technologies to ensure the most cost-effective and reliable mix of generation that maximises Northern Ireland's sustainable energy resources. I believe that Centralised Anaerobic Digestion (CAD) plants have a role to play in this energy mix, subject to meeting the necessary planning policy and environmental requirements.

Policy RE1 of Planning Policy Statement18 'Renewable Energy' states that development which generates energy from renewable resources will be permitted provided the proposal, and any associated buildings and infrastructure, will not result in an unacceptable adverse impact on public safety, human health, or residential amenity; visual amenity and landscape character; biodiversity, nature conservation or built heritage interests; local natural resources, such as air quality or water quality and public access to the countryside.

Proposals for CAD plants will be expected to be located at, or as close as possible to, the source of the resource needed for that particular technology, unless, in the case of a combined heat and power scheme or a biomass heating scheme, it can be demonstrated that the benefits of the scheme outweigh the need for transportation and an end user is identified.

Depending upon the nature of a proposal it may also be considered a waste management/ waste collection and treatment facility in which the relevant policies of PPS 11 'Planning and Waste Management' may also apply.

In the case of a CAD plant it is also likely that a proposal would be required to comply with a number of other consents and authorisation regimes including DETI consent for electricity generation over 10MW; an abstraction licence; a waste management licence and an Integrated Pollution Prevention and Control permit.

Mr Agnew asked the Minister of the Environment how many times, since 2009, has an individual or non-governmental organisation exercised their third party rights of intervention under Article 22 of the Environmental Liability (Prevention and Remediation) Regulations (NI) 2009; and what recourse exists if an individual considers the Department's response to be inadequate.
(AQW 36580/11-15)

Mr Durkan: The Department received two notices from third parties exercising their rights of intervention under Article 12 of the European Directive 2004/35/EC – Environmental Liability (transposed into domestic law in by the Environmental Liability (Prevention and Remediation Regulations (NI) 2009) on 24 September 2014 and 3 October 2014.

Under the Regulations any person who is likely to be affected by environmental damage, or otherwise has a sufficient interest may notify the Department of any environmental damage which is likely to occur, is occurring or has already happened. The Department must consider the notification and decide what course of action should be undertaken and inform the person of that decision. If the notifier (who for the purposes of the legislation may be a member of an organisation, or the organisation itself) is dissatisfied with the Department's response they may seek a judicial review of the decision on what action, if any, the Department intends to take.

Ms McGahan asked the Minister of the Environment how many planning enforcement cases have been issued in Fermanagh and South Tyrone in (i) each calendar year since 2011; and (ii) 2014; and of these cases, how many have been concluded, broken down by council area.
(AQW 36583/11-15)

Mr Durkan: The Department does not hold information relating to Enforcement cases in such a way that it can be reported at constituency level. Therefore, the information provided relates to the Local Government Districts of Fermanagh and Dungannon and South Tyrone.

Table 1 outlines the number of Enforcement notices that have been issued in Fermanagh District and Dungannon & South Tyrone District in each calendar year since 2011 (up to June 2014). Table 2 details the number of enforcement notices that have been closed in the same districts over the same time period.

Table 1: Enforcement notices issued in Fermanagh and Dungannon & South Tyrone District Council Areas 2011 to 2014 (up to June 2014)

Calendar Year Notice Issued	Fermanagh	Dungannon & South Tyrone	Total
2011	2	3	5
2012	7	12	19
2013	13	5	18
2014	4	2	6
Total	**26**	**22**	**48**

Notes:

1 The figures for 2014 have been provided up to June 2014, in line with our published information.

Table 2: Enforcement notices issued that have been closed, in Fermanagh and Dungannon & South Tyrone District Council Areas 2011 to 2014 (up to June 2014)

Calendar Year Notice Issued	Fermanagh	Dungannon & South Tyrone	Total
2011	1	2	3
2012	5	9	14
2013	6	3	9
2014	1	0	1
Total	**13**	**14**	**27**

Notes:

1 The figures for 2014 have been provided up to June 2014, in line with our published information.

Mr Campbell asked the Minister of the Environment, following the transfer of Driver and Vehicle Agency functions to Swansea, which public sector body in Northern Ireland will take the lead in carrying out activities previously carried out by the Roadside Enforcement Initiative.
(AQW 36629/11-15)

Mr Durkan: Vehicle Licensing is an excepted matter, which is the responsibility of the Secretary for Transport. It was previously administered in Northern Ireland by the Driver & Vehicle Agency (DVA), however this agreement was terminated and the service transferred to the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. The DVLA has responsibility for all enforcement activity relating to vehicle licensing offences, however, the DVA provide staff to operate the roadside cameras and present prosecution cases in court on their behalf.

Mrs Overend asked the Minister of the Environment to detail the enforcement measures for non-compliance contained within the Bus Compliance Audit Process.
(AQW 36632/11-15)

Mr Durkan: The enforcement measures used to address non-compliance within the Bus Compliance Audit process include the administering of advice and guidance, prohibition action, prosecution action and referral of cases to Driver & Vehicle Agency's Passenger Transport Licensing Division for consideration under its operator licensing suspension and revocation arrangements.

Mr Easton asked the Minister of the Environment to detail the revenue generated from MOT centres, in each of the last two years.
(AQW 36684/11-15)

Mr Durkan: The total revenue generated from MOT centres, for vehicle tests and practical driving tests, in each of the last two financial years is as follows:

- 2012/13 £31,865,000
- 2013/14 £32,459,000

Mr Frew asked the Minister of the Environment for an update on wind farm applications in North Antrim, including how many have been (a) approved; and (b) refused in the last ten years; and how many are currently in the planning system.
(AQW 36704/11-15)

Mr Durkan: In the last ten years, the Department has granted planning approval for 17 wind farms and refused planning permission for one wind farm in North Antrim. The Department currently has 5 planning applications for wind farms in North Antrim within the planning system namely Elginny Wind Farm (G/2011/0041/F), Whappstown Wind Farm (G/2011/0052/F), Castlegore Wind Farm (G/2011/0136/F), Rathsherry Wind Farm (G/2011/0162/F) and Carnalbanagh Wind Farm (G/2014/0182/F).

The processing of these five planning applications is ongoing. In the case of the proposed Elginny and Rathsherry Wind Farms, I have instructed my planning officials to undertake a review of these planning applications and keep me informed of their findings prior to making a final recommendation.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 35226/11-15, whether he regards meetings of the Committee for the Environment as being in the public domain; and whether his concerns could be allayed by having the footage shown to the Committee in camera.
(AQW 36705/11-15)

Mr Durkan: Information gathered by my Department as part of an investigatory process is considered under relevant legislation to be protected from disclosure for as long as the information exists. This is in order to protect the integrity of the

investigatory process and ensure fairness to all individuals involved in that process. It therefore follows that my concerns could not be allayed by having the footage shown to the Committee in camera.

Mr Weir asked the Minister of the Environment to detail the number of visitors to (i) Crawfordsburn Country Park; and (ii) The Fort in Helen's Bay; in each of the last five years.
(AQW 36710/11-15)

Mr Durkan: Visitor numbers at NIEA properties are recorded by calendar year as required by NITB. The numbers of visitors to Crawfordsburn Country Park in each of the last five years are as follows:

Table 1: Visitor numbers to Crawfordsburn Country Park

Year	Visitor numbers
2009	795,500
2010	750,000
2011	775,000
2012	800,000
2013	826,893

Visitor numbers to Grey Point Fort prior to 2013 were not separately recorded. Recording at this site commenced in 2013. Details of visitor numbers to the site in 2013 and 2014 (up to 30/9/14) are as follows:

Table 2: Visitor numbers to Grey Point Fort

Year	Visitor numbers
2013	14,376
2014	12,141 (to 30/9/14)

Mr Craig asked the Minister of the Environment, given that his Department had to remove Sinn Féin posters in Lagan Valley following the elections in May 2014, to detail the cost incurred by his Department and whether Sinn Féin has been invoiced for this cost.
(AQW 36739/11-15)

Mr Durkan: The Planning (Control of Advertisements) Regulations (Northern Ireland) 1992 allow election posters relating to pending Parliamentary, European Parliamentary, Northern Ireland Assembly or district council elections to be displayed

It is the Department of the Environment's planning practice to write to all political parties prior to elections, advising of the regulations for the display of election posters. It is a condition of the Regulations that all election posters are to be removed within 14 days after the close of the relevant poll to which they relate.

DoE Planning has not received any allegations of a breach of planning control relating to elections posters in the Lagan Valley constituency. As a consequence, posters were removed by DOE Planning and no costs have been incurred.

Mr Weir asked the Minister of the Environment what percentage of his Department's resource budget is provided as grants to local councils.
(AQW 36757/11-15)

Mr Durkan: Grants to Local Councils represent 38.7% of my Department's opening non ring fenced net resource baseline budget for 2014-15.

The majority of the grants paid to Councils relate to the De-rating Grant and the Rates Support Grant which together represent 37.3% of my Department's opening non ring fenced net resource baseline budget for 2014-15.

Mr Weir asked the Minister of the Environment to detail the (i) general; (ii) resource; and (iii) other grants provided by his Department to local councils, in each of the last five years.
(AQW 36764/11-15)

Mr Durkan: Annex A attached provides the information requested.

For information purposes, the General Grant to Local Councils consisted of the Resources and De-Rating Grants up to March 2012. Since April 2012, the General Grant is now referred to as two separate grants i.e. the De-Rating Grant and the Rates Support Grant (previously referred to as the Resources Grant). Both the De-Rating Grant and the Rates Support Grant details are included at Annex A.

Please note that a copy of this document will be placed in the Assembly Library.

Grants provided by DOE to Local Councils 2009-10 to 2013-14 **Annex A**

Grant Scheme	2009-10 £000	2010-11 £000	2011-12 £000	2012-13 £000	2013-14 £000	Total £000
De-rating Grant	24,872	25,134	25,405	26,374	27,128	128,913
Rates Support Grant	21,036	19,516	18,607	17,172	18,326	94,657
Dereliction Grant	-	-	379	1,713	2,046	4,138
Emergency Financial Assistance	65	145	406	1,722	290	2,628
Animal Welfare Grant	-	-	229	-	-	229
Network NI Grant	-	-	-	224	-	224
Construction Products Grant	225	225	225	225	225	1,125
Emergency Planning Grant	734	400	400	394	449	2,377
Miscellaneous Grant	-	-	-	19	-	19
Local Air Quality Grant	527	574	398	387	406	2,292
Rethink Waste Grant	-	25	661	99	53	838
Waste Infrastructure Resource Grant	682	642	152	63	8	1,547
Noise Act Grant	-	11	11	-	-	22
Listed Building Grant	258	324	679	343	419	2,023
Natural Heritage Grant	358	362	380	312	333	1,745
Animal Welfare Grant (Capital Grant)	-	-	94	-	-	94
Rethink Waste Grant (Capital Grant)	-	4,183	1,687	2,120	1,368	9,358
Waste Infrastructure Procurement Support (Capital Grant)	1,844	2,394	1,507	784	38	6,567
Clean Air Grant (Capital Grant)	-	7	-	-	-	7
Overall Total	**£50,601**	**£53,942**	**£51,220**	**£51,951**	**£51,089**	**£258,803**

Lord Morrow asked the Minister of the Environment, pursuant to AQW 28954/11-15, whether the functions of each class of taxi are permitted as stated; and why private hire vehicles and public hire vehicles outside Belfast are breaking rules within Belfast City limits with impunity.
(AQW 36780/11-15)

Mr Durkan: There has been no change to the permitted usage of taxis since my response to AQW 28954/11-15.

The Department accepts that there are instances of licensed private hire taxis picking up passengers without a pre-booking within Belfast City limit. As such, DVA will continue to deploy a regular enforcement resource in Belfast to target the problem, which during the first six months of 2014 resulted in 81 drivers being issued with £30 Fixed Penalty Notices.

Lord Morrow asked the Minister of the Environment how many occasions Regulation 13(I) of the 1985 PSV Regulations has been endorsed/enforced on any licence since its introduction in 1985.
(AQW 36783/11-15)

Mr Durkan: The Department has never endorsed or imposed such a condition on a PSV Vehicle Licence.

Mr I McCrea asked the Minister of the Environment whether the Call-In Procedure can be used in Shadow Councils.
(AQW 36803/11-15)

Mr Durkan: Section 41 of the Local Government Act (Northern Ireland) 2014 (the 2014 Act), which makes provision for members to request the reconsideration (call-in) of a council decision in specified circumstances, was brought into operation by Commencement Order from 2 June 2014 and is therefore available to members of a new council during the shadow period.

Section 41 also requires a council to make provision in its standing orders to require the clerk to the council to obtain the opinion of a practicing barrister or solicitor where the call-in has been requested on the grounds that the decision would disproportionately affect adversely any section of the inhabitants of the district. Section 37 of the Act, which also came into operation on 2 June 2014, places a duty on a council to make standing orders for the regulation of the proceedings and business of the council. A council, during the shadow period, is therefore under a statutory duty to make provision for the call-in procedure. In addition, the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications)

Regulations (Northern Ireland) 2014 specify that a council's standing orders must include provision that a qualified majority is required in relation to a council's decision on a call-in made on the ground of disproportionate adverse impact.

Section 38 of the Act provides the Department with an enabling power to specify in Regulations those provisions that a council must incorporate in its standing orders i.e. mandatory standing orders. As I indicated during the Local Government Bill's passage in the Assembly, my Department intends that the call-in procedure will be specified, in Regulations made under section 38, as a mandatory aspect of a council's standing orders that this will ensure a consistent procedure across all the councils. Responses to a consultation on my Department's proposals for the draft Local Government (Standing Order) Regulations (Northern Ireland) 2014 and model standing orders are currently under consideration. It is my intention to lay the draft Regulations, which are subject to the draft affirmative procedure, in the Assembly at the earliest opportunity.

Mr I McCrea asked the Minister of the Environment how Shadow Councils can adopt the Call-In Procedure.
(AQW 36804/11-15)

Mr Durkan: Section 41 of the Local Government Act (Northern Ireland) 2014 (the 2014 Act), which makes provision for members to request the reconsideration (call-in) of a council decision in specified circumstances, was brought into operation by Commencement Order from 2 June 2014 and is therefore available to members of a new council during the shadow period.

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Lord Morrow asked the Minister of the Environment to outline the differences between Public Service Vehicles Regulations (Northern Ireland) 1985 and the new proposed taxi regulation.
(AQW 36860/11-15)

Mr Durkan: The differences are as follows:

- the Taxi Vehicle Licence Regulations (Northern Ireland) 2014 (the regulations) will be made under the Taxis Act (Northern Ireland) 2008 (the Act) rather than the Road Traffic Order (Northern Ireland) 1981 (the Order);
- Four new taxi classifications will replace the categories outlined in regulation 7(6) of the Public Service Vehicles Regulations (Northern Ireland) 1985 (the 1985 regulations). These are:
- Class A - (non-wheelchair accessible taxis) – will be permitted to ply or carry passengers for hire or reward and stand at stands outside the Belfast Local Government District. Taxi plates must be displayed on the new specified roof signage;
  - Class B – wheelchair accessible taxis licensed used to ply for hire or reward, carry passengers for hire or reward, or stand at all taxi stands. Taxi plates must be displayed on the new specified roof signage including the international wheelchair symbol, and a wheelchair symbol must be displayed on the door intended for access by wheelchair users.
  - Class C - licensed taxi used to carry passengers for hire or reward but only when a booking is made in advance and a journey form is carried in the vehicle. These may include weddings, chauffeurs and funeral cars amongst others. It may not ply for hire or reward or stand at taxi stands. This taxi is not permitted to display roof signage but is required to display a plate on the bottom left (nearside) of the front windscreen; and
  - Class D - this class of taxi will replace the current taxibus category and will be permitted to carry passengers for hire or reward, but only when issued with a road service licence under the Transport Act (NI) 1967 or a permit under the Transport Act (NI) 2011. This taxi is not permitted to display roof signage but is required to display a plate on the bottom left (nearside) of the front windscreen.
  - the roof sign specifications will change as follows. They will be required:
- to hold a taxi plate provided by the Department that is to be affixed to the nearside of the front and offside of the rear of the sign;
  - to be a minimum of 125mm tall;
  - not to project more than 250mm above the highest part of the car;
  - to be a minimum of 750mm wide;
  - not to overhang the roof;

- to display to the front on a yellow background in clear and legible black letters the name or trading name of the licensed operator or the word Taxi;
- to display to the rear on a yellow background in clear and legible black letters a telephone number or the word Taxi;
- to be illuminated internally during hours of darkness to show a steady yellow light to the front and rear; and
- if the taxi is a Class B taxi, the roof sign shall include a wheelchair symbol.

- there will be an inspection of the hire and reward insurance certification of the taxi;
- the City of Belfast will be defined as being Belfast Local Government District;
- unless previously licensed as a PSV, all Class A, B and D taxis must be M1 type approved; and
- the current regulations around the following items (the majority relating to buses) will not be carried forward into the new regulations:
  - conduct of drivers;
  - duties of drivers;
  - smoking; and
  - conduct of passengers.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 34144/11-15, how many Fixed Penalty Notices have been rescinded by departmental officials, detailing the reasons and by whom, in the last twelve months.
(AQW 36861/11-15)

Mr Durkan: There have been no Fixed Penalty Notices rescinded by Departmental officials in the last twelve months.

Lord Morrow asked the Minister of the Environment whether Driver and Vehicle Agency enforcement had any contact with the PSNI regarding ongoing taxi problems centred on illegal pick ups by private hire taxis in the area of the Kingspan Stadium/Mount Merrion Avenue/Onslow, in the last twelve months.
(AQW 36863/11-15)

Mr Durkan: In the last twelve months enforcement staff from the Driver & Vehicle Agency have not had any contact with the PSNI regarding illegal pickups by private hire taxis in the area of Kingspan Stadium/Mount Merrion Avenue/Onslow.

Mr Weir asked the Minister of the Environment for an update on wind farm applications in North Down, including the number of applications (a) approved; (b) refused; and (c) currently in the planning system.
(AQW 36875/11-15)

Mr Durkan: In the last 10 years, there has been one application for a 3 turbine wind farm in North Down. This was received on 31 December 2010 and subsequently refused permission on 28 July 2011.

There are no other applications for wind farms pending determination in the North Down constituency.

Mr Agnew asked the Minister of the Environment, given his predecessor's commitment to architectural built heritage, why his Department did not follow the recommendation of the landscape architects branch who advised that any proposed development at the new University of Ulster site in Belfast should aim to integrate with the existing architectural language and streetscape in terms of scale, massing and detail and that the Department for the Environment should retain the Orpheus building as part of the University of Ulster development in Belfast.
(AQW 36893/11-15)

Mr Durkan: The new Belfast campus for the University of Ulster (UU) was granted planning permission by the Department on 16 May 2013 (planning permission Z/2012/0361/F, which was accompanied by an Environmental Statement).

In deciding to approve the new campus proposal, and therefore accepting the demolition of the Orpheus building, the Department fully assessed the development proposals, the environmental information contained in the Environmental Statement, the comments of consultees, third party representations and had regard to the relevant planning policy context, the statutory development plan and all other relevant material considerations.

Concerns about the proposed demolition of the Orpheus building were raised by third party representations in relation to this application (including the Ulster Architectural Heritage Society and the Belfast Civic Trust, seeking the retention of the building and internal features and its incorporation within the proposed campus development).

Landscape Architects Branch (LAB) was consulted on 17 April 2012 and responded on 11 May 2012. The role of LAB is not to make a recommendation on the planning application but rather to consider the proposed development and provide any relevant comments for DOE Planning to take into consideration when making its decision. In this case, LAB expressed concern about the potential detrimental impact that the scale and massing of the proposal would have on the existing streetscape character of the area and on the setting of listed buildings. The LAB comments did not state that the Department should retain the Orpheus building as part of the University of Ulster development in Belfast. Their comments were fully considered.

The Northern Ireland Environment Agency, Historic Buildings Unit (NIEA, HBU) was consulted as part of the consideration of the UU campus application. In its response dated 6 June 2012, NIEA confirmed that the building did not satisfy the listing

criteria but added that despite this the building remains of architectural and historic interest. The Orpheus Building was considered for listing by NIEA as a result of a request from the public when the intention to relocate the UU was announced. Although it has an interesting ballroom with some good Art Deco ornament, when judged overall, the building did not have sufficient 'special' interest to justify listing.

The building also falls outside any Conservation Area or Area of Townscape Character and is therefore unprotected by any statutory listing / designation. On this basis, even though the building is of acknowledged architectural and historic interest, the Department cannot insist on the retention of the building. Furthermore, the UU design team concluded that the demolition of the Orpheus building to make way for a new build construction was considered to provide flexible, adaptable spaces in line with the University's aspirations. It would enable a variety of spaces to be accommodated within the building and would not limit large areas of floor plates to specific uses. The replacement of the Orpheus building was therefore taken forward as the preferred design option by the University and it was this proposal that my Department had to decide upon.

My Department took into account relevant architectural and built heritage issues and I am satisfied that the decision to approve was the correct decision and will secure a much needed investment of £250 million to this part of the city with enormous economic and social regeneration benefits to Belfast as a whole and the north part of the city in particular.

Mr Kinahan asked the Minister of the Environment how many farmers were detected spreading slurry during the closed period in the last twelve months.
(AQW 36902/11-15)

Mr Durkan: The Nitrates Action Programme (Northern Ireland) Regulations 2010 (NAP Regulations) do not permit slurry to be spread from 15 October to 31 January of the following year – commonly referred to as the "closed period". These 15 weeks represent the period when plant growth is minimal and when risk of nutrient leaching is highest. During the 2013/14 closed period there was one confirmed case of spreading slurry.

Mr McNarry asked the Minister of the Environment how policy making is managed in his Department and if there are any underlying assumptions when formulating policy, including whether a policy should be led by his Department or formulated by local councils; and if not, whether his Department adopts a reactive approach to policy making.
(AQW 36925/11-15)

Mr Durkan: My Department's remit is broad, including local government policy, a wide range of environmental policy (encompassing matters such as waste, water, air, natural and built heritage and climate change), planning policy, and road safety and vehicle regulation policy. The precise approach to policy making necessarily varies across the different activities. My Department however takes a proactive approach to policy making across the range of its responsibilities, seeking to tackle issues which research and analysis, or developments at a national or European level, show to be priorities for action. The necessary analysis is completed in a number of ways, for instance in the development of documents such as the Northern Ireland Road Safety Strategy to 2020; in the commissioning of external reviews such as the Mills Review on waste management; in the outworkings of the Review of Public Administration on local government reform; and through stakeholder engagement to inform reforms to the planning system.

In their work, my officials rely on the guidance contained in the Practical Guide to Policy Making in Northern Ireland and my Department's Stakeholder Engagement Strategy, and on close working with the Policy Champions Network. Officials across business areas in my Department come together in a Best Practice Working Group on policy development to ensure that learning is spread across the Department. Recent work of the Best Practice Working Group has included a pilot of e-consultation when consulting on the draft Strategic Planning Policy Statement earlier this year, and the collation of good practice examples in the making of primary and secondary legislation.

In terms of working towards the reform of local government on 1 April 2015, my Department has operated delivery structures and working groups to ensure that the views of both elected representatives and local government officers are taken into account when policies are being developed. This will be strengthened by the establishment of the Partnership Panel, which will provide a forum for policy issues to be considered by both Departments and local government. In certain specified circumstances, policy-making may be council-led and be given effect by my Department in pursuance of a request from a council, for example the making of bye-laws.

The evaluation of the impacts of a policy change is an important part of the policy life cycle, and is taken forward by my officials in line with NICS and OFMDFM guidance. The evaluation and monitoring can take a number of forms, but these will generally be centred on performance against key indicators which are agreed and for which measurement is set up during policy development. Examples include the key performance indicators for the Road Safety Strategy, which are published on an annual basis; and annual statistics based on quarterly returns from retailers which allow yearly measurement and monitoring of carrier bag usage in Northern Ireland. My Department also prepares and publishes annual reports that include key waste performance indicators on the Northern Ireland Landfill Allowance Scheme and the Northern Ireland Local Authority Collected Municipal Waste Statistics.

To assess the effectiveness of existing planning policies, my Department's measures include continuous and meaningful engagement with key stakeholders. My Department also publishes relevant planning statistics. Where appropriate, my Department will undertake formal reviews of the operational effectiveness of planning policy, such as the recent review into the operation of PPS21. Looking forward to the new two-tier planning system next April, my Department intends to work

closely with councils in establishing a planning performance management framework to help drive continuous improvement through advice, guidance and support.

Mr McNarry asked the Minister of the Environment how his Department measures and monitors the success of its policies. **(AQW 36926/11-15)**

Mr Durkan: My Department's remit is broad, including local government policy, a wide range of environmental policy (encompassing matters such as waste, water, air, natural and built heritage and climate change), planning policy, and road safety and vehicle regulation policy. The precise approach to policy making necessarily varies across the different activities. My Department however takes a proactive approach to policy making across the range of its responsibilities, seeking to tackle issues which research and analysis, or developments at a national or European level, show to be priorities for action. The necessary analysis is completed in a number of ways, for instance in the development of documents such as the Northern Ireland Road Safety Strategy to 2020; in the commissioning of external reviews such as the Mills Review on waste management; in the outworkings of the Review of Public Administration on local government reform; and through stakeholder engagement to inform reforms to the planning system.

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Lord Morrow asked the Minister of the Environment, pursuant to AQW 35226/11-15, in relation to video footage gathered at Ravenhill Stadium/Mount Merrion Avenue by the four enforcement officers on duty on 23 August 2013, whether there will be any prosecutions brought against any private hire taxi operator/licence holder for offences committed on this occasion. **(AQW 36928/11-15)**

Mr Durkan: I would refer the Member to the response to AQW 36653/11-15.

Lord Morrow asked the Minister of the Environment to detail the number of times that Driver and Vehicle Agency enforcement officers visited Kingspan Stadium to monitor taxi operations, in the last twelve months. **(AQW 36929/11-15)**

Mr Durkan: Driver & Vehicle Agency enforcement officers have not visited the Kingspan Stadium to monitor taxi operations in the last 12 months.

Mr Campbell asked the Minister of the Environment whether he will discuss with his counterpart responsible for the Driver and Vehicle Agency in Swansea how he intends to overcome problems encountered by motorists in Northern Ireland. **(AQW 36931/11-15)**

Mr Durkan: 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 resulting from the transfer of the service, 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.

However, since the transfer of the service to Swansea, DVA has no access to the DVLA system to monitor or resolve issues relating to Northern Ireland motorists. Therefore, 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

Or via email at: DVLAMinisterials@dvla.gsi.gov.uk

Mr Campbell asked the Minister of the Environment for his assessment of the current condition of beaches in 2014 compared to 2004.
(AQW 36932/11-15)

Mr Durkan: Water Quality

Since 2004, there has been an overall improvement in water quality at our bathing waters. Our bathing water quality data shows an overall increase in compliance with both the mandatory standards and the higher guideline standards for bathing water quality set in the EU Bathing Water Directive.

Since 2004, we have seen significant improvements at specific bathing waters which were historically poor performers, for example at Newcastle and Castlerock. In the last 5 years alone, my officials have worked closely with colleagues in Northern Ireland Water (NIW) and DRD to ensure that investment totalling over £34 million was appropriately targeted to bring about these improvements. This resulted in major sewerage upgrades at Newcastle, Benone, Millisle and Bangor. Further investment is planned under the next PC period (2015 to 2021) which will see further upgrades to the network and the installation of event monitors at all NIW assets within 2km of bathing waters.

In 2013 Northern Ireland had its best year for bathing water quality since testing began in 1994, with 100% of our bathing waters passing the mandatory standard in the Bathing Water Directive and 87% meeting the higher guideline standard. Although the results for 2014 were not quite as outstanding as 2013, with 96% passing the mandatory standard and 70% meeting the higher guideline standard, there is an overall improvement trend since 2004. The 2014 results were encouraging despite the extremely wet period in early August.

Beach cleanliness, facilities, management and signage

Unfortunately, there is no comprehensive data available upon which to base an assessment of beach cleanliness from 2004. However, since 2012 Keep Northern Ireland Beautiful has been collecting beach litter data on behalf of my Department using internationally recognised methods. The first report was published in 2013 and can be found on the Keep Northern Ireland Beautiful website. The 2014 report will be available soon.

Average number of pieces of litter observed per kilometre surveyed was 4033 during 2012-13 and 3498 during 2013-14. However, there is insufficient inter-annual data at this stage to make statements on trends with any statistical confidence.

Mr Dunne asked the Minister of the Environment whether it is lawful and procedurally appropriate for the Northern Ireland Environment Agency to grant a waste management licence for a waste management operation if there is no planning permission in place.
(AQW 36934/11-15)

Mr Durkan: Planning permission is required as a prerequisite to the issuing of a waste management licence. This is stipulated within Article 8 of the Waste and Contaminated Land Order (NI) 1997.

However to help avoid any delay in the issue of a waste management licence, once a planning application is in place, NIEA will process a waste licence application in parallel with the planning process which will not be issued until planning permission is granted. NIEA are not aware of any incidents where a waste management licence has been granted before planning permission has been granted.

Mr Dunne asked the Minister of the Environment whether there have been incidents recorded whereby the Northern Ireland Environment Agency has granted a waste management licence for a waste management operation, before planning permission has been granted.
(AQW 36936/11-15)

Mr Durkan: Planning permission is required as a prerequisite to the issuing of a waste management licence. This is stipulated within Article 8 of the Waste and Contaminated Land Order (NI) 1997.

However to help avoid any delay in the issue of a waste management licence, once a planning application is in place, NIEA will process a waste licence application in parallel with the planning process which will not be issued until planning permission is granted. NIEA are not aware of any incidents where a waste management licence has been granted before planning permission has been granted.

Mr Dunne asked the Minister of the Environment how community concerns are assessed and given due weight and consideration before a Northern Ireland Environment Agency waste licence is issued to a waste management operator.
(AQW 36938/11-15)

Mr Durkan: Community concerns are assessed within the planning process through the consultation phase. In addition, NIEA frequently liaises with communities in relation to concerns about waste facilities. NIEA will consider any representations about a proposal which is made to it as part of the waste licence application process. NIEA also works closely with planning officials to help ensure the concerns of local communities are taken into consideration and where possible addressed. A formal consultation phase exists when a waste facility applies for a waste permit authorisation however the permit authorisation would only apply to larger waste facilities.

Mr Dunne asked the Minister of the Environment what measures are taken to ensure that waste management companies fully comply with the terms as set out in their operating licences; and what penalties are issued to operators who are found to be in breach of their obligations.
(AQW 36939/11-15)

Mr Durkan: DOE (NIEA) issue waste management licences which contain site specific conditions designed to protect the environment and human health. These conditions vary according to the nature and scale of the activity as well as taking into accord sensitive receptors like nearby dwellings.

According to the risk rating of the facility NIEA will inspect the facility against the licence conditions of the waste management licence as well as the agreed Working Plan for the site. The frequency and extent of these inspections are dependent on the nature of the facility and its associated potential risks to the environment and human health.

The majority of planned site inspections are unannounced however NIEA also carry out pre announced site audits. The frequency of planned site inspections is calculated against the associated risk for the site, i.e. the greater the associated risk the more numerous the site inspections. NIEA will also inspect waste management facilities in response to complaints received or as part of advisory visits. It may also carry out joint agency inspections where there is an overlap in remits and where it is appropriate.

Should NIEA detect a breach of the conditions of their waste management licence it has a range of enforcement actions available and the action taken will vary according to the circumstances of the breach. Factors taken into consideration are documented within the NIEA Enforcement Policy and include, for example the environmental impacts of the breach, the attitude of the licence holder and any previous non compliances etc.

The level of enforcement tools available range on an upward scale from verbal and written advice to formal letters to corrective Notices to suspension or revocation Notices to passing an enforcement file to the Public Prosecution Service. DOE also has fixed penalty notices and formal warning letters available as mechanisms of enforcement. The Waste and Contaminated Land (NI) Order 1997 also includes High Court injunctions as an enforcement mechanism however this is not commonly used. The maximum available fines available to the courts are an unlimited fine, and or, up to 5 years imprisonment.

Mr B McCrea asked the Minister of the Environment why his Department's capital reduced requirements for 2014-15 have totalled £2 million.
(AQW 36953/11-15)

Mr Durkan: As part of the 2014-15 Monitoring Round process Departments are required to surrender any reduced requirements for funding in excess of £1 million. The Department advised DFP during the 2014-15 June Monitoring round of a reduced requirement for capital investment of £2 million.

This reduced requirement was in relation to the Driver Licensing IT replacement system project. The Driver and Vehicle Agency has been engaged with DFP's Enterprise Shared Service Centre to determine the extent to which the NI Direct Portal can support some of the functionality of the new Driver Licensing IT system and this has contributed to a delay in the procurement phase of the project. The £2 million of capital funding for this project is not required in 2014-15 but will be required in future years.

Mr Weir asked the Minister of the Environment whether a small business impact test will be carried out prior to implementing Planning Policy Statement 22 or Affordable Housing Contributions.
(AQW 36959/11-15)

Mr Durkan: A partial Regulatory Impact Assessment (RIA) is set out within my Department's draft Planning Policy Statement 22: 'Affordable Housing' and also within the Department for Social Development's 'Developer Contributions for Affordable Housing'.

The partial RIA covers 'Costs for a Typical Business' and acknowledges difficulties in gathering sufficiently detailed information on the likely impact of the policy on the house building and development industry.

Officials in my Department as well as officials in DSD are currently analysing the consultation responses to both draft policy documents. These views will inform a Full Regulatory Impact Assessment, for a finalised Department for Social Development Housing Policy and Planning Policy on developer contributions. I can confirm that a Small Business Impact Test will be conducted to test the impact of the policy on small to medium enterprises before any policy is implemented.

Mr Weir asked the Minister of the Environment why a small business impact test was not completed prior to the consultation on the draft Planning Policy Statement 22.
(AQW 36960/11-15)

Mr Durkan: A partial Regulatory Impact Assessment (RIA) is set out within my Department's draft Planning Policy Statement 22: 'Affordable Housing' and also within the Department for Social Development's 'Developer Contributions for Affordable Housing'.

The partial RIA covers 'Costs for a Typical Business' and acknowledges difficulties in gathering sufficiently detailed information on the likely impact of the policy on the house building and development industry.

Officials in my Department as well as officials in DSD are currently analysing the consultation responses to both draft policy documents. These views will inform a Full Regulatory Impact Assessment, for a finalised Department for Social Development Housing Policy and Planning Policy on developer contributions. I can confirm that a Small Business Impact Test will be conducted to test the impact of the policy on small to medium enterprises before any policy is implemented.

Mr Weir asked the Minister of the Environment to detail the proposed timetable for implementing the proposed developer contribution scheme for new developments contained in draft Planning Policy Statement 22.
(AQW 36961/11-15)

Mr Durkan: The public consultation on draft PPS22 concluded on 23 September. My officials are currently analysing the 53 responses received and a high level summary of these responses will be made available to the Environment Committee in November.

The consultation took place at the same time as the Department for Social Development's (DSD) consultation on 'Developer Contributions for Affordable Housing' paper which sought views on housing policy in respect of developer contributions. DSD received 75 responses to their consultation paper. Officials are currently in the process of analysing the responses and are preparing to put their findings to the Social Development Committee in November.

My colleague, the Minister for Social Development and I will consider the most appropriate way forward on the proposals in due course, following analysis of consultation responses.

Mr Weir asked the Minister of the Environment why draft Planning Policy Statement 22 proposes a new affordable housing contribution for developments of at least five houses.
(AQW 36962/11-15)

Mr Durkan: The objectives of draft PPS22 are to support the provision of affordable housing through developer contributions to ensure that new housing contributes to meeting the identified housing need of the whole community; and to assist in the building of a strong and shared community.

The threshold of 5 housing units that was put forward for consultation took into account the approaches taken in the other jurisdictions in the UK and Ireland. It also reflects the profile of residential development applications in Northern Ireland.

I would also ask the Member to note that the draft policy carries no weight and the responses received through the public consultation in relation to this matter will be further considered before I determine how to take the policy forward.

Ms Sugden asked the Minister of the Environment to outline any plans his Department has for legislation, subsequent to the Road Traffic (Amendment) Bill, which will address the specific problem of driving under the influence of drugs.
(AQW 36973/11-15)

Mr Durkan: Under existing legislative provision, it is illegal to drive here whilst unfit through drugs (whether through illegal drugs or through legal prescription drugs). Penalties are just as severe as those for drink driving, in terms of fines, disqualifications and imprisonment. Securing a drug driving conviction under existing law can however be more difficult than securing one for drink driving, given the absence of statutory limits. With drink driving, the police simply have to prove that a driver is above a certain limit of alcohol in the blood, breath or urine. In order to secure a conviction for drug driving, the police must prove that the driver is impaired. This requires objective evidence that the drug/drugs were found to be present in a blood/urine test; and subjective evidence that the person appeared to be under the influence of drugs.

My aim is to bring forward legislation that will make it easier to detect and determine whether drivers are impaired through drugs. Britain is already moving in this direction. The Crime and Courts Act 2013 passed in Westminster introduced an offence of driving or being in charge of a motor vehicle with a specified controlled drug in the body, in excess of a specified limit. The objective is to reduce the wasted time, expense and effort involved for the police and the courts when prosecutions

fail because of the difficulty in proving that a driver is impaired by a particular drug. Decisions on the types of drugs and specified limits to be covered by this new offence were informed by a panel of medical and scientific experts. The drugs and limits have now been specified in regulations and, subject to Parliamentary approval, the new arrangements will commence from 2 March 2015. There is some remaining work to complete with regard to the inclusion of amphetamines; this will be addressed in subsequent regulations.

Drug driving is a particularly complex issue and any policy decisions taken here will have to be informed by expert advice and public consultation. I will wish to determine arrangements that are most appropriate for Northern Ireland but, in moving forward, will want to review the work already undertaken in Britain and any developments in Ireland. I will want, for instance, to be clear that suitable equipment is available for testing; and that consideration of offenders by the courts proceeds as intended under the legislation.

In terms of timescale, and subject to Executive agreement, I would hope to issue a public consultation on proposals before the end of 2015. Given the amount and complexity of the work required, a Bill on this issue could not be taken forward before the next Assembly mandate.

Mr Weir asked the Minister of the Environment what monitoring is in place to ensure that vehicles fitted with meters with public hire tariffs are not then changed to private hire tariffs by taxi operators.
(AQW 36987/11-15)

Mr Durkan: I would refer the Member to the response to AQW 29800/11-15 which confirms that Belfast Public Hire taxis are permitted to have dual tariffs programmed into their meters.

The Driver & Vehicle Agency (DVA) is responsible for ensuring that all meters fitted to Belfast Public Hire taxis are only installed with the permitted tariff/s and conform to the prescribed fitment, calibration and sealing requirements.

DVA Enforcement Officers routinely conduct roadside spot checks on taxi meters installed in licensed Belfast Public Hire Taxis to ensure they satisfy fitment requirements, remain properly sealed and to validate the tariff being used. Where a taxi meter is inspected and found to be insecure, unsealed or inaccurate, enforcement action can be taken including the issue of a Defect Notice or a Prohibition Notice. Where prohibition action has been taken this would result in the suspension of the vehicle's PSV Vehicle Licence until remedial action has been taken and the taxi meter re-tested and sealed by the Agency.

Mr Weir asked the Minister of the Environment what monitoring is place to ensure that vehicles with public hire plates are not used by companies as private hire vehicles.
(AQW 36988/11-15)

Mr Durkan: Taxis with public hire plates are permitted to undertake both public and private hire work; therefore no monitoring of use is required.

Mr Weir asked the Minister of the Environment whether an additional minimum fare applies to wheelchair accessible private hire taxis compared to public hire taxis.
(AQW 36989/11-15)

Mr Durkan: There is currently no regulation of private hire taxi fares in Northern Ireland.

Mr Weir asked the Minister of the Environment whether a taxi is permitted to have a second tariff on a regulated meter.
(AQW 36990/11-15)

Mr Durkan: I can confirm that Belfast Public Hire 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.

Lord Morrow asked the Minister of the Environment how many Penalty Charge Notices issued to taxi operators or licence holders have been issued for picking up non-booked passengers within the Belfast city limits area, in the last eighteen months.
(AQW 37002/11-15)

Mr Durkan: From 1 April 2013 to 8 October 2014, the Driver & Vehicle Agency enforcement officers have issued 132 Fixed Penalty Notices to taxi operators or licence holders for picking up non-booked passengers within Belfast City limits.

Mr Weir asked the Minister of the Environment whether a taxi is permitted to have more than one checksum for a meter.
(AQW 37008/11-15)

Mr Durkan: Regulated taximeters are not permitted to have more than one unique identifying number (or checksum).

Mr Clarke asked the Minister of the Environment what the process will be in relation to ongoing planning applications when councils take over planning powers.
(AQW 37012/11-15)

Mr Durkan: At the point of transfer (1 April 2015) Councils will be responsible for taking decisions in respect of the vast majority of planning applications which fall within the local and major thresholds as defined by legislation.

Where an application is undecided at the point of transfer, the Council will then be responsible for any further processing of the application and the decision taken.

My Department will put in place transitional arrangements that will require Councils to process these current planning applications as if they had been submitted to them originally.

Mr Agnew asked the Minister of the Environment whether the landfilling at Camcosy Road, County Tyrone is granted as part of planning permission K/2013/0072/F; and if so, whether stamped approved drawings exist which show the extent of landfill, including details of the existing and proposed ground levels and cross-sections, normally required by his Department when developing a sloping site.
(AQW 37026/11-15)

Mr Durkan: DOE Strategic Planning Division has opened an investigation into the alleged breaches regarding infilling. The site has been inspected on 7 October in order to establish the nature of the alleged breach. Considerations are currently ongoing to establish if a breach exists. This has been opened as a high priority case.

Mr McKay asked the Minister of the Environment, pursuant to AQW 35889/11-15, to clarify whether it was on 07 February 2014 or 04 April 2014 that "in order to allow considerations of the issues raised, I asked for applications relating to CTY10 to be held temporarily" refers.
(AQW 37039/11-15)

Mr Durkan: On 4 April 2014, officials withdrew internal guidance which had previously issued on CTY 10 regarding applications where there were no buildings on a farm. At that stage, I asked for applications relating to CTY10 to be held temporarily in order to allow consideration of the issues raised. On 4 June, I agreed that applications could continue to be processed to decision.

Mr Anderson asked the Minister of the Environment for an update on wind farm applications in Upper Bann, including the number of applications (i) approved; and (ii) refused; and (iii) currently in the planning system.
(AQW 37059/11-15)

Mr Durkan: In the last 10 years, no planning applications for wind farms in Upper Bann have been approved or refused. There are no other applications for wind farms pending determination in the Upper Bann constituency.

Mr McKay asked the Minister of the Environment, pursuant to AQW 35889/11-15, whether any precautionary advice was provided to Divisional Planning Offices from the date the Application for Judicial Review was presented to the courts on 5 July 2011 regarding the implications of the case; and if so, to detail the instruction provided.
(AQW 37080/11-15)

Mr Durkan: No official advice or guidance was provided to Divisional Planning Offices at the time application for this Judicial Review was presented to the courts. However on publication of the judgement in January 2014, Divisional Planning Managers were advised of the judgement at their management meeting on 7 February 2014. As a result of the judgement, internal guidance for planning staff which sought to clarify the policy was withdrawn on 4 April 2014.

Lord Morrow asked the Minister of the Environment, in relation to Ravenhill Stadium/Mount Merrion Avenue, whether the Driver and Vehicle Agency's Chief Enforcement Officer (i) permitted the issue of a taxi operating licence; (ii) reported that such an operating centre existed at the premises; (iii) to outline the structure or building used for this purpose; and (iv) whether the officer booked a taxi from the operating centre.
(AQW 37097/11-15)

Mr Durkan: The Passenger Transport Licensing Division within the Driver & Vehicle Agency (DVA) is responsible for processing taxi operator licence applications, which includes the approval of operating centres. DVA Enforcement Officers have no role in the approval process.

In a personal capacity, a DVA Enforcement Officer attended Ravenhill Stadium in April 2013, booked a taxi when leaving the ground and communicated his observations to a licensing colleague.

Mr Dickson asked the Minister of the Environment what actions his Department is taking to improve the audit trail for managing tyres from purchase to disposal.
(AQO 6835/11-15)

Mr Durkan: The Department does not have the powers to audit tyres when purchased for use on vehicles. Further, tyre retailers, distributors and wholesalers do not require a waste authorisation from the DOE (NIEA) for waste tyres that have been produced on their premises.

Once tyres become waste, the tyre retailer is required to comply with the Duty of Care Regulations and the statutory Code of Practice. The business must ensure that the collector of the waste tyres is registered with the DOE (NIEA) as a waste carrier and that a waste transfer note is completed and retained by both parties for at least 2 years. The waste carrier must also comply with Duty of Care and only deliver waste tyres to a suitably authorised waste recycling facility.

The Department has allocated staff to audit the completion and retention of waste transfer notes. The team will be concentrating on the audit of waste tyres from the retailer to the carrier and finally to disposal by the waste operator on a risk basis.

The Department working in partnership with the Chief Environmental Health Officers Group (CEHOG) has set up a tyre pilot study in four council areas; Cookstown, Ballymoney, Strabane and Antrim. Phase 1 of the study includes joint inspections by Environmental Health Officers and DOE staff to respectively audit part worn/waste tyres on tyre retailer premises.

DOE also has in place a Flytipping pilot project with most of the District Councils. This project provides an audit trail for waste tyres that have been flytipped on public land and removed by the authorised contractor.

Mr Weir asked the Minister of the Environment whether private hire tariff rates on meters are capped at a maximum of public hire tariff rates.
(AQW 37134/11-15)

Mr Durkan: Within the current taxi licensing regime private hire taxi fares are unregulated; therefore there is no requirement to adhere to a particular fare tariff or tariff structure.

The number of tariffs installed in taximeters in such taxis is therefore a matter for the taxi operator.

Mr Weir asked the Minister of the Environment what arrangement operates between his Department and Value Cabs regarding (i) tariffs; (ii) checksums; (iii) calibration; and (iv) limitations on charges.
(AQW 37139/11-15)

Mr Durkan: There is no such specific arrangement with Value Cabs. The requirements in place affect all operators, drivers and vehicles equally.

Lord Morrow asked the Minister of the Environment whether some private hire taxi vehicles have permitted, or will permit, meters to be fitted with multiple tariffs; and if so, to detail why this has been allowed.
(AQW 37176/11-15)

Mr Durkan: Private Hire taxis are not regulated by the Department in terms of fares. This is due to change in September 2015 when I intend that taxis currently operating in a private hire capacity will be required to use a taximeter and a receipt printer, and that a maximum fare will be introduced. It is not intended that the forthcoming regulations will restrict their use to a single tariff.

Mr Agnew asked the Minister of the Environment, given Tamboran Resources confirmation that they will judicially review his decision to require an Environmental Impact Assessment for its proposal to carry out exploratory drilling at Belcoo in County Fermanagh, whether the local community will be afforded the opportunity to participate in any proceedings.
(AQW 37448/11-15)

Mr Durkan: DOE Planning received a pre-action letter from Tamboran on 10 October 2014 concerning the decision made in connection to the Permitted Development Notification and EIA Determination for an exploratory borehole at Cleggan Quarry, Belcoo.

At this stage, it is not possible to comment on any potential judicial review process. Officials are reviewing the pre-action letter and seeking legal advice prior to any formal action being taken.

Mrs McKevitt asked the Minister of the Environment how many groups in South Down has received monies through the Carrier Bag Levy fund.
(AQO 6839/11-15)

Mr Durkan: Eight different groups were funded to carry out projects within the South Down from the Carrier Bag Levy in 2014, through the NGO Challenge Fund. These groups successfully completed 13 different projects ranging from litter collection in the Mourne Mountains to improving public access to Drumnaph Community Nature Reserve.

The dedication and response of applicants to all challenges was inspiring. I thoroughly endorse the work done by the Challenge Fund last year, and commend the success of local community groups and all others involved.

I have allocated £1.3 million from the Carrier Bag Levy to the 2015 Challenge Fund and look forward to again seeing the positive environmental and community outcomes this support enables.

Mr Weir asked the Minister of the Environment what impact the current budgetary pressures will have on the level of grants awarded to councils in 2015/16.
(AQO 6840/11-15)

Mr Durkan: As I plan for next year and given the indications of the totality of cuts to my Departmental budget, reductions of the magnitude currently being discussed will necessitate a comprehensive review of the range and scope of public service delivery by my Department.

This review may result in reductions being applied to grants awarded to councils.

The two main grants paid to councils are the Rates Support Grant and De-rating Grant. The Rates Support Grant could be reduced prior to district councils striking the rate position however once this position is settled, it cannot be reduced in-year because of statutory restrictions. The De-rating Grant cannot be reduced due to the current policy of DFP to compensate Councils for the effect of the statutory de-rating of certain premises. Councils also receive a number of other discretionary grants from my Department such as Local Air Quality, Listed Buildings and Natural Heritage which may also be subject to reduction.

However, the Executive has yet to agree a budget position for 2015-16 and therefore it is not possible at this time to determine the level of grants to be awarded to Councils in 2015-16.

Mr Ó hOisín asked the Minister of the Environment what plans he has in place to recover the charges imposed by commercial operators for end-of-life tyre recycling.
(AQO 6841/11-15)

Mr Durkan: The Tyre Industry Council first introduced the voluntary used tyre levy scheme in Britain in 1999 to help those handling waste tyres. This levy or charge is a voluntary agreement between the tyre retailer and the customer. The Department has no statutory remit or powers with respect to the tyre recycling charge and therefore is unable to recover these costs.

The Environment Committee included the tyre recycling charge as a recommendation in its final report "The Disposal of Used Tyres". The Committee asked the Department to "investigate discrepancies between the levies charged by retailers under the Duty of Care system in Northern Ireland and those in the other regions of the UK and obtain the power to regulate the collection and utilisation of the levy".

The recycling charge imposed by tyre retailers is not made under the Duty of Care system and Article 5 of the Waste and Contaminated Land (NI) Order 1997 does not contain powers to introduce such a charge.

The Department approached the Department of Trade and Industry (DETI) to enquire whether they could progress this issue. They responded that this would be a matter for DETI to consider and take forward for all regions of the UK.

Ms Maeve McLaughlin asked the Minister of the Environment for an update on any recent discussions he has had with the Minister for Social Development regarding the transfer of functions to local government authorities.
(AQO 6842/11-15)

Mr Durkan: I have raised my concern at the continued delay in reaching Executive agreement for the introduction of the Regeneration and Housing Bill to the Assembly, with Ministerial colleagues, including Minister Storey, as this legislation is required to provide regeneration powers for local government.

Whilst a failure to provide councils with urban regeneration and community development powers will not prevent the rest of the reform programme from going ahead, it is, nonetheless, a very important element of the reform process.

The vision for local government that we agreed as an Executive include bringing decision making closer to communities, creating a stronger and more effective local democracy, and improving service delivery by facilitating greater integration. I believe that the re-coupling of regeneration with the planning functions transferring from my department is fundamental to the effectiveness of the new reformed councils in shaping their communities.

Extensive preparatory work has taken place in both my own department, that of other Ministers transferring powers or functions, and within local government with the aim of ensuring the transfer is as smooth and seamless as possible. Momentum will be lost if the provision of regeneration powers does not proceed. A delay in the provision of regeneration powers for local councils will also prolong the reform process for councils, as they will not be able to design the delivery of regeneration functions into their new organisational structures from the outset. We also need to consider the potential impact on the continued delivery of programmes and projects currently funded by DSD but which local organisations are expecting and planning to be the responsibility of councils from April 2015.

The failure to implement a key element of the reform programme due to the Executive's failure to reach agreement to introduce the Regeneration and Housing Bill would send a very negative message to local government and citizens about the Executive's commitment to deliver strong, effective local government, and I believe we will be serving citizens poorly if we do not deliver that commitment.

It has taken some time to get to this point, but we are now at the stage where every effort should be made to ensure that all of the necessary legislative provisions are in place. That is why I am pressing Ministerial colleagues for urgent agreement to introduce the DSD Bill at the earliest possible opportunity.

Miss M McIlveen asked the Minister of the Environment whether monies not spent by Ards Borough Council in the current financial year, which are being made available as a one off capital grant towards Exploris, will be made available to its successor council in the 2015/16 financial year.
(AQO 6843/11-15)

Mr Durkan: The capital grant has been allocated by the Executive to the current financial year, so I am unable to guarantee that any unspent monies would be made available in the 2015/16 financial year. This can only be considered once my Department's budget for 2015/16 has been agreed with the DFP Minister and the Executive. I would encourage Ards Borough Council to make every effort to spend as much of the capital grant as possible by the end of March 2015.

For my part, I will do everything I can to ensure that the entire capital grant is made available to the Council.

I am pleased that both Ards Borough Council and the new North Down and Ards District Council have accepted the letter of offer issued by my Department. I look forward now to seeing the work start on Exploris.

Ms Ruane asked the Minister of the Environment how the Road Traffic Amendment Bill will reduce fatalities and serious injuries.
(AQO 6844/11-15)

Mr Durkan: The principal objective of the Road Traffic (Amendment) Bill is to save lives and prevent serious injuries. It seeks to do this by addressing road safety concerns about drink driving, learner and new drivers, and the non-wearing of helmets by users of quad bikes on the public road.

In 2013, consumption of alcohol by a driver or rider was responsible for 8 fatalities. This causation factor accounted for 14% of all road fatalities and 6% of all road deaths and serious injuries.

The Bill as introduced to the Assembly will reduce the drink drive limit to 50 milligrammes of alcohol per 100 millilitres of blood for most drivers, with a lower limit of 20 milligrammes for learner and new drivers and for professional drivers. The new 20mg limit will be a de facto zero limit directed towards those at most risk. A new graduated penalty regime will match the penalty to the level of alcohol consumed, with minimum disqualification periods ranging from 6 months to 2 years, and 3 years for repeat offenders. The police will have new, additional, powers to set up check points where they can require persons in charge of vehicles to take a breath test. There will also be greater use of courses for drink drivers, to continue to change attitudes towards drinking and driving.

These measures will ensure that the punishment fits the crime; that the risk of being stopped and tested will be higher and that training and education will be available to offenders.

The Bill as introduced will also introduce a new graduated driver licensing regime to address the over representation of young and novice drivers in fatal and serious collisions.

The stark fact is that, although young drivers comprise only 11% of full licence holders, between 2009 and 2013, 41% of fatal collisions on our roads for which drivers of cars, taxis and light goods vehicles were responsible were caused by drivers aged 17-24. I believe that the scale of the problem necessitates fundamental changes to how new drivers are trained, tested and gain experience once they have obtained their full licence, and this is what this Part of the Bill is about.

I believe that the changes in the Bill will reduce fatalities and serious injuries by:

- better preparing new drivers for the challenge of driving on their own;
- better protecting new drivers, and other road users, while they gain experience; and
- better promoting ways in which learner and new drivers can keep themselves and other save on our roads.

During the period 2006- 2013, 4 people were killed and 39 seriously injured in quad related collisions. The Bill takes the necessary regulatory powers to require riders and passengers using quads on public roads to wear protective headgear which is aimed at reducing those figures.

Mr McCarthy asked the Minister of the Environment for an update on his Department's support for Exploris.
(AQO 6845/11-15)

Mr Durkan: My Department remains committed to supporting Exploris. It issued two letters of offer, one for an Executive approved capital grant of £914,000 towards upgrading the facilities at Exploris, and a separate revenue grant from my Department of up to £120,000 per annum towards meeting all of the reasonable costs associated with running the seal sanctuary.

I am pleased that both Ards Borough Council and the new North Down and Ards District Council have accepted those offers. My officials will liaise with Council officials as the capital investment programme is taken forward, and also on the arrangements for meeting the costs associated with the seal sanctuary.

Mr Moutray asked the Minister of the Environment what method is used to calculate the number of tyres that can be stored at agricultural premises for use on silage pits.
(AQO 6846/11-15)

Mr Durkan: Traditionally farmers have used waste tyres as silage clamps. A farmer would obtain an appropriate number of waste tyres that he could reuse year on year. The quantity of used tyres required will vary depending on the tonnage of silage stored on a farm.

Efficient silage fermentation is an anaerobic process which takes place only once there is no air present. Plastic sheeting is used to prevent entry of oxygen and fully sealed with tyres. The whole surface of the silage pit has to be covered with sufficient tyres to prevent air pockets and ensure the sheet is in contact with the silage.

Every farm will have individual methods for storing silage either externally or internally in pits or simply in heaps. The farmer will also know from the crop produced how many tyres he will require each year. A quick rule of thumb would be that lorry tyres are about 1 metre diameter and will cover 1m2 of pit. This figure will vary depending on whether larger agricultural tyres or smaller car tyres are reused.

Mr McGimpsey asked the Minister of the Environment for an update on the single Strategic Planning Policy Statement.
(AQO 6847/11-15)

Mr Durkan: On 4th February 2014, I issued for public consultation the draft Strategic Planning Policy Statement for Northern Ireland (SPPS). The SPPS sets out the Department's regional planning policies for securing the orderly and consistent development of land under a reformed two-tier local planning system. It is a proportionate and appropriate framework for delivery of the reformed planning system when the primary responsibility for planning functions transfers from the Department to councils on 1 April 2015.

The 12 week public consultation exercise on the draft SPPS was facilitated by means of online digital consultation with stakeholders invited to respond electronically. This is the first time the Department has incorporated digital engagement into the policy-making process. The consultation closed on 29 April 2014.

Over 700 responses were received from individuals and a wide range of stakeholders, such as Business and Industry interests (including CBI, NIIRTA, IOD, NIFHA); Environmental interests (including NIEL, RSPB); Community / Academic / NGO interests (including Royal Town Planning Institute, Belfast Civic Trust, Historic Monuments Council, various residents groups); and Local Government interests (including NILGA and a number of local councils).

The scale of the response and the diverse composition of respondents is considered to be encouraging as it indicates a healthy public interest in planning matters generally but particularly the future of planning under the new two tier system that will be brought into effect in April 2015.

Officials are currently in the process of finalising the detailed analysis of all responses received to the public consultation exercise. A full synopsis of consultation responses report is due to be presented to the Environment Committee later this month.

Subject to Executive Committee agreement, the Department remains on target for finalising the SPPS by the end of the year.

Mr Wilson asked the Minister of the Environment what are the main sources of problems with air quality in rural areas.
(AQO 6848/11-15)

Mr Durkan: Air quality is, in general, better in rural areas than in urban areas. This is because in rural areas there is a lower density of emissions sources such as road traffic or households, as well as a lower spatial density of buildings which would otherwise trap air pollutants at ground level.

Nevertheless, some rural areas can experience high levels of air pollution from residential solid fuel heating and road traffic congestion. In addition, ground-level ozone (produced from other air pollutants) can reach higher levels in rural than in urban areas, as is evidenced by monitored levels at the rural Lough Navar site.

High levels of polycyclic aromatic hydrocarbons – carcinogenic pollutants associated with solid fuel, in particular, smoky coal burning - are routinely monitored at three urban sites in Northern Ireland (Ballymena, Derry and Lisburn). A 2012 report into polycyclic aromatic hydrocarbons (PAHs) was commissioned by my Department. The report showed, through modelling and analysis of monitored levels, that concentrations of PAHs in exceedence of either the EU Target Value or the UK Air Quality Strategy Objective, are likely to occur in small and large settlements right across Northern Ireland.

Mr Dallat asked the Minister of the Environment for an update on the impact of the removal of vehicle licensing functions to Swansea has had on Coleraine.
(AQO 6849/11-15)

Mr Durkan: Vehicle Licensing was previously administered in Northern Ireland by the Driver & Vehicle Agency (DVA), however this agreement was terminated and the service transferred to the Driver and Vehicle Licensing Agency (DVLA) in Swansea with effect from 21 July 2014.

There are 210 DVA staff based in Coleraine, who previously carried out this work. Of that number 86 have been redeployed to alternative permanent posts, 107 have been allocated temporary work in the Coleraine area, with the remainder allocated temporary work elsewhere or on maternity/sickness absence. In addition I have transferred 70 existing posts from Belfast to Coleraine, 40 of which have been filled permanently by surplus DVA staff. My officials have also agreed a voluntary exit/ redundancy scheme to offer all staff in the area at the affected grades an option to seek a voluntary exit, and thereby create additional permanent vacancies for remaining surplus DVA staff. DVLA has recently agreed a funding package for the scheme, which will launch in November 2014, with staff being released by end March 2015.

I commissioned independent economic advice to support my case to Ministers in the Department for Transport that the retention of vehicle licensing services provided by DVA in Coleraine was important to the health of the local economy. However, given the mitigating measures that I have taken to continue to provide work for the DVA staff in Coleraine, it is too early to be specific about the full extent and longer term impact of the removal of vehicle licensing services on the Coleraine area at this stage.

I have encouraged Executive colleagues to allocate further work to the area to support the local economy, and I welcome the support of the Minister for Social Development, whose department has already transferred temporary work to the County Hall site.

Department of Finance and Personnel

Mr Allister asked the Minister of Finance and Personnel to detail the Peace III spend, as opposed to the allocations, in each local council.
(AQW 35826/11-15)

Mr Hamilton (The Minister of Finance and Personnel): The Special EU Programmes Body (SEUPB) has advised that local councils have benefitted from PEACE III funding under a number of programme Themes.

Local councils in Northern Ireland are involved in eight Peace and Reconciliation Partnerships, as detailed in the attached Table 1. The Lead Authority/Partner for each Partnership is highlighted in bold.

Table 1

Peace III Partnership	Council Membership
North East Peace Partnership	Coleraine, Ballymena, Ballymoney, Larne, Limavady, Moyle
South West Peace Partnership	Cookstown, Dungannon & South Tyrone, Magherafelt, Fermanagh
North West Peace Partnership	Strabane, Derry/Londonderry, Omagh
CAN Peace Partnership	Carrickfergus, Antrim, Newtownabbey
Southern Peace Partnership	Newry & Mourne, Armagh, Banbridge, Craigavon
North Down and Ards Peace Partnership	North Down, Ards, Down
Lisburn & Castlereagh Peace Partnership	Lisburn and Castlereagh
Belfast Peace and Reconciliation Action Plan	Belfast City Council

PEACE spend is recorded against each Partnership and not against the local councils that make up that Partnership. Allocations and spending are provided in Table 2.

Table 2

PEACE Partnership	PEACE III Allocation (£)	PEACE III spend (£)
North East Partnership	£7,409,263.66	£6,883,537.81
South West Partnership	£6,534,154.74	£5,888,291.16
North West Partnership	£9,372,755.09	£8,484,028.59
CAN Partnership	£4,409,920.73	£3,676,103.72
Southern Partnership	£9,777,901.02	£8,575,251.94
North Down & Ards Partnership	£4,823,232.66	£3,974,611.49
Belfast Peace and Reconciliation Action Plan	£10,275,917.93	£8,817,473.34
Lisburn & Castlereagh Peace Partnership	£4,019,773.82	£3,425,935.88

You will wish to note that letters of offer for the Peace Partnership projects in Table 2, required project activities to be completed by the end of September 2014 and that expenditure claims for these projects may be submitted until the end of December 2014. At that point, it is expected that full expenditure across all projects will be confirmed.

A number of projects funded under other Themes within the PEACE Programme have a local council as a Lead Partner. Allocations and spending are provided in Table 3.

Table 3

Local Council as Lead Partner	Project	PEACE III Allocation (£)	PEACE III Spend (£)
Omagh District Council	OASIS – Omagh Accessible Shared Inclusive Space	£4,345,000.00	£1,355,439.07

Local Council as Lead Partner	Project	PEACE III Allocation (£)	PEACE III Spend (£)
Belfast City Council	Skatepark	£385,660.00	£385,660.00
	Girdwood Community Hub	£9,597,249.00	Nil to date
	Growing a Shared City	£299,932.54	£299,932.54
Newtownabbey Borough Council	Voices of the Valley Park	£3,580,500.00	Nil to date
Craigavon Borough Council	Shared Process and Community Engagement (Space)	£5,469,045.00	£245,279.66
Derry/Londonderry City Council	Heroes of the Great Siege Shared History and Visitor Centre	£2,446,615.00	Nil to date
Dungannon & South Tyrone Borough Council	EARLS - Peace & reconciliation through Education, Activity, Regional and Local Sharing	£7,165,893.00	Nil to date

The Letter of Offer end dates for projects in Table 3 have not yet occurred. It is anticipated that all projects, including those with nil expenditure to date, will utilise and vouch their full allocations by December 2015.

Mr Allister asked the Minister of Finance and Personnel whether Special Advisers, appointed under the Civil Service Commissioners (NI) Order 1999, are bound by the Civil Service Human Resources Handbook and the Northern Ireland Civil Service Code of Ethics; and if so, who determines whether, upon complaint, any alleged breaches have occurred and/or to act on any established breaches.
(AQW 36463/11-15)

Mr Hamilton: Special Advisers are contractually required to abide by the conduct provisions of the NICS Human Resource Handbook, with the exception of the rules on political activity. The NICS Human Resource Handbook includes the NICS Code of Ethics.

Alleged breaches and the action following any established breaches are a matter for the Minister as the appointing authority.

Mr Frew asked the Minister of Finance and Personnel to detail the unemployment figures for (i) Ballymena; (ii) Ballymoney; and (iii) Moyle in each of the last three years.
(AQW 36680/11-15)

Mr Hamilton: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the percentage of adults who are currently unemployed in the requested district council areas are not available from this source due to sample size constraints.

The attached table is sourced to the claimant count measure of unemployment. This shows the number of persons claiming unemployment related benefits at August 2012, August 2013 and August 2014 and these figures as a percentage of the resident working age population.

Table 1 - Claimant Count by District Council Area

	August 2012		August 2013		August 2014	
District Council Area	Number	Rate	Number	Rate	Number	Rate
Ballymena	1,709	4.2	1,714	4.2	1,433	3.5
Ballymoney	1,015	5.1	1,001	5.0	746	3.7
Moyle	627	5.9	598	5.6	510	4.8

Mr Spratt asked the Minister of Finance and Personnel to detail the number of economically inactive people in each council area, in each of the last three years.
(AQW 36765/11-15)

Mr Hamilton: Estimates of the numbers of economically inactive by Northern Ireland (NI) District Council Area (DCA) are sourced from the Labour Force Survey (LFS), with the most recent data available for April - June 2014. These estimates are based on the residency of an individual.

The requested breakdown of economic inactivity by DCA is shown in Table 1 overleaf.

Table 1: Number of Economically Inactive by District Council Area (16-64)

	April-June 2012	April-June 2013	April-June 2014
Antrim	8,000	*	*
Ards	14,000	10,000	12,000
Armagh	7,000	7,000	9,000
Ballymena	12,000	10,000	9,000
Ballymoney	4,000	7,000	4,000
Banbridge	5,000	12,000	8,000
Belfast	54,000	53,000	58,000
Carrickfergus	*	7,000	6,000
Castlereagh	9,000	10,000	11,000
Coleraine	11,000	14,000	5,000
Cookstown	7,000	8,000	8,000
Craigavon	21,000	15,000	17,000
Derry	21,000	24,000	25,000
Down	17,000	13,000	11,000
Dungannon	10,000	10,000	10,000
Fermanagh	12,000	9,000	16,000
Larne	6,000	6,000	5,000
Limavady	8,000	8,000	6,000
Lisburn	18,000	24,000	23,000
Magherafelt	10,000	6,000	6,000
Moyle	4,000	5,000	*
Newry and Mourne	18,000	19,000	14,000
Newtownabbey	12,000	15,000	14,000
North Down	10,000	12,000	6,000
Omagh	11,000	10,000	11,000
Strabane	7,000	9,000	10,000
Northern Ireland	316,000	328,000	311,000

Source: Labour Force Survey

* Estimate is suppressed as the sample size on which the estimate is based is small (3-9 persons).

Mr Clarke asked the Minister of Finance and Personnel whether he has any plans to bring forward legislation to support grandparents' access rights.
(AQW 36795/11-15)

Mr Hamilton: My Department has just published a consultation paper which invites views on the law relating to contact with children. In particular, the paper asks whether grandparents should automatically be able to apply for a contact order.

Mr Campbell asked the Minister of Finance and Personnel, pursuant to AQW 36411/11-15, to detail the annual rates that are outstanding in the 2,637 dwellings listed.
(AQW 36847/11-15)

Mr Hamilton: Outstanding rates figures are available at end of year only. The number of vacant properties where the owner is unknown is constantly changing as properties move in and out of occupation and as new properties come onto the Valuation List. As at 31st March 2014 there were 2,828 vacant domestic properties with rating liability where ownership had not been established. There was an outstanding debt of £3,147,277 associated with these properties.

Mr Campbell asked the Minister of Finance and Personnel, pursuant to AQW 35633/11-15, of this estimate, how many are in the working age population.
(AQW 36848/11-15)

Mr Hamilton: The latest estimate of the working age population (i.e. those aged 16 to 64 years) of the Belfast Travel to Work Area, relating to June 2013, was 578,900 persons.

Mr Wilson asked the Minister of Finance and Personnel to detail the number of staff employed by the Northern Ireland Civil Service in each of the last five years.
(AQW 36870/11-15)

Mr Hamilton: The information requested, at 1 January each year is set out in the table below.

Year	Headcount
2014	27,936
2013	27,976
2012	27,994
2011	27,018
2010	26,934

The vast majority of the increase in 2012 was due to uniformed prison officers being included in the Northern Ireland Civil Service staff headcount for the first time.

Mr Weir asked the Minister of Finance and Personnel to detail the number of people who are unemployed in (i) North Down; and (ii) Ards, in each of the last three years.
(AQW 36874/11-15)

Mr Hamilton: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the percentage of adults who are currently unemployed in the requested district council areas are not available from this source due to sample size constraints.

The attached table is sourced to the claimant count measure of unemployment. This shows the number of persons claiming unemployment related benefits at August 2012, August 2013 and August 2014 and these figures as a percentage of the resident working age population.

Table 1 - Claimant Count by District Council Area

	August 2012		August 2013		August 2014	
District Council Area	Number	Rate	Number	Rate	Number	Rate
Ards	2,243	4.5	2,157	4.4	1,819	3.7
North Down	1,937	3.9	1,835	3.7	1,599	3.2

Mr Copeland asked the Minister of Finance and Personnel to detail the range of budgetary pressures in each of Executive Department which his officials have identified as truly inescapable.
(AQW 36878/11-15)

Mr Hamilton: As part of the in-year monitoring or indeed Budget process, my officials assess and prioritise bids submitted by departments for additional funding. This process helps to inform my recommendations to the Executive on the allocation of resources. The pressures faced by departments are constantly changing and ultimately it is for the Executive to agree the pressures that must be funded.

Mr Flanagan asked the Minister of Finance and Personnel to detail (i) the number of stillbirths and early neonatal deaths recorded; (ii) the number of post-mortems that took place on stillbirth and early neonatal deaths; and (iii) the post-mortem results for the cause of deaths, in each of the last nine years.
(AQW 36941/11-15)

Mr Hamilton: There is no accepted standard definition of ‘early neonatal’. In view of this, information is provided on infant deaths where the death occurred within the first seven days of life.

Table 1 details the number of stillbirths and neonatal deaths within the first seven days of life in Northern Ireland from 2005.

Table 1: Number of Stillbirths and Neonatal Deaths within the first seven days of life in Northern Ireland, 2005-2013P

Registration Year	All Stillbirths	Neonatal Deaths (within first 7 days of life)
2005	89	91
2006	89	72
2007	102	70
2008	115	77
2009	119	80
2010	105	98
2011	91	72
2012	106	57
2013	110	74
Total	**926**	**691**

P Data for 2013 remain provisional until the publication of the Annual Report of the Registrar General in late 2014.

Table 2 details the number of post mortems carried out on stillbirths and neonatal deaths within the first seven days of life in Northern Ireland from 2005.

Table 2: Number of Post Mortems Associated with Stillbirths and Neonatal Deaths within the first seven days of life in Northern Ireland, 2005-2013P

Registration Year	Stillbirths & Neonatal Deaths (within first 7 days of life)[1]
2005	3
2006	4
2007	3
2008	5
2009	2
2010	2
2011	3
2012	1
2013	3
Total	**26**

P Data for 2013 remain provisional until the publication of the Annual Report of the Registrar General in late 2014

1 Numbers of Stillbirths and Neonatal Deaths within the first seven days of life have been combined due to the small number of registrations in some years.

Post mortems are not routinely carried out on all stillbirths nor early neonatal deaths. Cause of death is determined by a certifying doctor or by a post mortem where the death has been referred to the Coroner. Table 3 presents the cause of death for all stillbirths and neonatal deaths within the first seven days of life over the nine year period 2005-2013P that involved a post mortem.

Table 3: Stillbirths & Neonatal Deaths within the first seven days of life with a Post Mortem in Northern Ireland, by Cause of Death, 2005-2013P

ICD10 Code	Cause of death	2005	2006	2007	2008	2009	2010	2011	2012	2013
C00-D48	II. Neoplasms			1						
G00-H99	VI - VIII. Diseases of the nervous system and the sense organs							1		
J00-J99	X. Diseases of the respiratory system				1					

ICD10 Code	Cause of death	2005	2006	2007	2008	2009	2010	2011	2012	2013
P00-P96	XVI. Certain conditions originating in the perinatal period	1	1	2	3	2	1	2	1	1
Q00-Q99	XVII. Congenital malformations, deformations and chromosomal abnormalities	1	2							1
R00-R99	XVIII. Symptoms, signs and abnormal clinical and laboratory findings, not elsewhere classified				1		1			1
X85-Y09	Assault	1	1							
Total		**3**	**4**	**3**	**5**	**2**	**2**	**3**	**1**	**3**

P Data for 2013 remain provisional until the publication of the Annual Report of the Registrar General in late 2014

1 Numbers of Stillbirths and Early Neonatal Deaths have been combined due to the small number of registrations in some years and the need to preserve confidentiality.

Mr Dickson asked the Minister of Finance and Personnel what discussions he has had with the Treasury regarding the consequences of the official notification that the Executive is on track to exceed its spending limits.
(AQO 6803/11-15)

Mr Hamilton: HM Treasury officials indicated to DFP that they should be kept informed of any developments in regards of a DEL breach. This breach would, as stated in the Statement of Funding Policy with the Devolved Administrations, be an act of "serious financial mismanagement".

You will be aware that the Head of the Civil Service has now written to his counterpart in HM Treasury setting out his concerns about the in-year position and the 2015-16 Budget challenges.

In addition I have now had discussions with the Chancellor about securing access to the UK Reserve in 2014-15. As a result of these

negotiations I have secured access of up to £100 million, this will be repayable in 2015-16.

Mr D McIlveen asked the Minister of Finance and Personnel for an update on the paper that he submitted to the Executive to deal with the equal pay dispute.
(AQW 37187/11-15)

Mr Hamilton: As I have previously stated, it has been clearly established that there is no valid equal pay claim upon which to base a settlement for this group. The paper I circulated to Executive colleagues before the summer recognises the moral argument put forward and I hope it will satisfactorily resolve the issue for this group of staff. I now await the agreement of Executive colleagues for the paper to be brought forward for discussion since my recommendation and any expenditure will require their approval. While I appreciate the frustration of staff affected by this issue, the matter is now in the hands of the Executive.

Mr Copeland asked the Minister of Finance and Personnel to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37239/11-15)

Mr Hamilton: The SEUPB has a General Reserve of £102,000 and a Capital Grant Reserve of £457,000. This information was taken from the last audited accounts for the SEUPB.

Mrs Cochrane asked the Minister of Finance and Personnel, pursuant to AQW 35558/11-15, to explain the reasons for the payscale variations evidenced regionally in the Northern Ireland Statistics and Research Agency Statistical Bulletin: Pay Statistics for the Northern Ireland Civil Service 2013 between the Northern Ireland Civil Service and GB Departments.
(AQW 37310/11-15)

Mr Hamilton: The payscale variations are due to the fact that in 1996 delegated pay arrangements for the civil service were introduced both in Northern Ireland and in Great Britain. Since then the Northern Ireland Civil Service (NICS) and GB departments have negotiated their own pay settlements.

Mr Moutray asked the Minister of Finance and Personnel when he plans to introduce a draft 2015/16 Budget to the Assembly.
(AQO 6801/11-15)

Mr Hamilton: An agreed Final Budget for 2015-16 would need to be in place by early January 2015. This would require the Executive to agree final proposals in December. Working backwards from this date would indicate that a draft Budget would need to be agreed in the coming weeks if there is to be the desired level of public consultation.

In addition, one of the conditions surrounding the £100 million access to the reserve, which has been negotiated with HM Treasury, is that the Executive agrees credible plan for a balanced 2015-16 budget before the end of October 2014. This aligns with the timescales I have already indicated.

My officials have briefed the Executive on the financial position in 2015-16 and I will shortly bring a draft Budget scenario to the Executive.

Mr G Robinson asked the Minister of Finance and Personnel whether his pursuit of reform is relevant in the current financial environment.
(AQO 6797/11-15)

Mr Hamilton: In the current financial environment, reform is more important than ever. The purpose of reform is not only to save money, albeit that is important, but even more vital is the need to meet the increasing and changing needs of citizens.

Public sector reform is all about renewing, redesigning, rethinking, restructuring and reforming to enhance the citizen's experience of public services.

I set up the Public Sector Reform Division to act as an enabler for reform across the Executive and it has a range of methodologies at its disposal to assist and support public sector bodies in transforming.

Mr Attwood asked the Minister of Finance and Personnel to outline the total surrender for each Department entering into the October monitoring round.
(AQO 6798/11-15)

Mr Hamilton: The Executive agreed the October Monitoring Resource Allocations on 9 October. I updated the Assembly on the outcome of this in my statement yesterday.

The June Monitoring round agreed Resource DEL reductions of £77.9 million equating to 2.1%. An additional 2.3% reduction was required to meet the £87 million cost of not implementing Welfare reform. This has now been agreed.

Through negotiations with HM Treasury I have secured access to the Reserve in 2014-15 of up to £100 million. This has allowed the

Executive to make allocations of £125 million to mitigate the worst impacts of these reductions.

Mr Hazzard asked the Minister of Finance and Personnel, following the recent comments made by Joel Barnett, to outline his proposals to address the limitations of the Barnett formula.
(AQO 6799/11-15)

Mr Hamilton: I read with interest Peter Stanford's interview with Lord Barnett, especially Lord Barnett's comments that he believed the formula gave devolved administrations a disproportionate share of funding compared to England.

The reality is that whilst the Barnett formula does have its limitations, for example it takes no account of relative need, it does provide advantages to Northern Ireland.

The Barnett formula provides a high degree of certainty in the total amount of public expenditure allocated to Northern Ireland as result of UK Budget outcomes.

In being simple and easy to administer it also removes the degree of subjectivity that is likely to surround a needs based assessment.

In addition, while it is considered that the Barnett formula will ultimately led to convergence, these properties only apply at times of rising expenditure. Therefore, with expenditure now falling it would not be a good time for us to raise the issue of changes to the Barnett formula.

However if, as a result of changes to Scottish fiscal powers, changes are proposed to it during the next revision to the Statement of Funding Policy, my Department will ensure that we negotiate the best possible outcome for Northern Ireland.

Mrs Dobson asked the Minister of Finance and Personnel for an update on the proposed October monitoring round allocations to the Department of Health, Social Services and Public Safety.
(AQO 6800/11-15)

Mr Hamilton: The Executive agreed the October Monitoring Resource Allocations on 9 October. I updated the Assembly on the outcome of this in my statement yesterday.

The June Monitoring round agreed Resource DEL reductions of £77.9 million equating to 2.1%. An additional 2.3% reduction was required to meet the £87 million cost of not implementing Welfare reform. This has now been agreed.

Through negotiations with HM Treasury I have secured access to the Reserve in 2014-15 of up to £100 million. This has allowed the Executive to make allocations of £125 million to mitigate the worst impacts of these reductions. The allocations included £60 million for

DHSSPS. This is on top of the £20 million agreed as part of June Monitoring.

Mr Flanagan asked the Minister of Finance and Personnel to outline which tax-raising and welfare powers are proposed for devolution following David Cameron's statement that additional powers would be provided.
(AQO 6802/11-15)

Mr Hamilton: The Government has not yet set out any proposals for the devolution of further powers.

Mr Givan asked the Minister of Finance and Personnel how much progress his Department has made in making public services available online.
(AQO 6806/11-15)

Mr Hamilton: The Transformation Programme Milestones are to complete the delivery of 16 digital services by 2016 and increase digital transactions through NI Direct by a further 700,000 during the 2015/16 financial year. The Programme is on target to meet these Milestones with three digital services having gone live since the start of this financial year.

The uptake of these new digital services delivered through the Transformation Programme to date now totals over 1.2 million online transactions, the majority of which were made by citizens carrying out family history searches using the Genealogy NI service with over 970,000 free searches and 130,000 paid searches completed.

Department of Health, Social Services and Public Safety

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail the total cost of (i) hospitality; (ii) the acquisition of art works; and (iii) the furnishing of chief executive and senior management offices, broken down by Health and Social Care Trust, in each of the last five years.
(AQW 35799/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): Expenditure on, (i) hospitality; (ii) the acquisitions of art works; and (iii) the furnishing of chief executive and senior management offices, broken down by Health and Social Care Trust, in each of the last five years is set out in the table below.

		BHSCT £k	NHSCT £k	SEHSCT £k	SHSCT £k	WHSCT £k	NIAS £k
2013/14	Hospitality	25.8	22.8	51.0	26.0	13.1	2.8
	Art Works(1)	0	24.5	11.2	0	0	0
	Furnishings(2)		-	-	1.0	-	0.3
2012/13	Hospitality	16.6	19.4	48.0	34.9	17.3	3.1
	Art Works(1)	-	-	7.6	-	-	-
	Furnishings(2)		-	-	15.6	-	0.1
2011/12	Hospitality	10.0	12.5	45.0	38.7	9.0	2.7
	Art Works(1)	-	17.3	0.7	-	-	-
	Furnishings(2)		-	-	1.0	1.8	2.5
2010/11	Hospitality	15.0	14.0	38.5	15.5	9.5	4.5
	Art Works(1)	-	-	25.5	-	-	-
	Furnishings(2)		-	-	13.2	-	1.7
2009/10	Hospitality	15.0	18.2	109.7	27.0	52.4	3.2
	Art Works(1)	-	-	137.8	59.0	-	-
	Furnishings(2)		-	-	-	-	4.5

Notes:

1. Capital Expenditure

2. Belfast Trust cannot provide analysis between the cost of furnishings for different offices. This information can therefore not be provided due to disproportionate cost.

Mr Dunne asked the Minister of Health, Social Services and Public Safety what action has been taken to address the fifteen week waiting time for a neurology consultation appointment.
(AQW 36245/11-15)

Mr Poots: As in other areas in the UK, HSCB confirm that a new delivery plan is required to modernise, develop and improve neurological services across Northern Ireland. HSCB has commenced a process of engagement with the clinical leads in neurology regarding reforming and modernising neurology services to better meet the needs of the NI population. A number of proposals outlining how the service needs to change have been developed and these will be subject to detailed consideration.

Key issues highlighted include how to better manage and contain neurology outpatient demand, how to maximise the effectiveness of the current neurological workforce, the review and develop models of clinical practice, and, how undergraduate and postgraduate neurology education must change.

HSCB plans to work with clinicians and Trusts to develop mechanisms to address each of the key issues with specific short, medium and long term service objectives. The HSCB expects to have completed an outline plan for the way forward by December 2014 but it must be emphasised that further investment in Neurological services will be required to support new services.

Mr Allister asked the Minister of Health, Social Services and Public Safety for a breakdown of the expenses paid to senior management in the Health Service in the last twelve months.
(AQW 36534/11-15)

Mr Wells: A breakdown of expenses paid to senior management in Health and Social Care bodies (except the NI Medical and Dental Training Agency) in the 2013/14 financial year is set out in the Table below.

For the purposes of this question 'senior management' has been interpreted as staff at director level and above (including Chief Executives).

Travel	£106,466
Parking	£3,029
Subsistence	£3,580
Accommodation	£5,954
Total	**£119,029**

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the travel expenses and reimbursements paid by each Health and Social Care Trust to (i) patients; and (ii) staff in each month of the last three years.
(AQW 36552/11-15)

Mr Wells: Costs for travel expenses and reimbursements for patients and staff in the Belfast, Southern and Western Health and Social Care (HSC) Trusts, paid each month over the last three years, have been provided in Table 1 attached at Annex A.

The Northern HSC Trust and the South Eastern HSC Trust have advised that staff costs broken down to this level are not readily available but they have provided annual expenditure figures. These are set out in separate tables (Tables 2 and 3 respectively) in Annex A.

Staff travel expenses are paid to all staff where cost is incurred when carrying out their daily duties e.g. community nursing, home visits, and attendance at training events. Patient costs are reimbursed where eligible patients meet the required criteria set out in the Hospital Travel Costs Scheme.

Table 1 **Annex A**

Month	Trust	Patient Costs	Staff Costs
April 2011	BHSCT	£3,176	£8,046
	SHSCT	Incl in May	Incl in May
	WHSCT	Incl in May	Incl in May
May 2011	BHSCT	£58,092	£699,153
	SHSCT	£53,569	£1,276,456
	WHSCT	£40,711	£1,277,371

Month	Trust	Patient Costs	Staff Costs
June 2011	BHSCT	£60,559	£370,433
	SHSCT	£29,189	£733,208
	WHSCT	£24,130	£730,251
July 2011	BHSCT	£38,483	£366,346
	SHSCT	£26,462	£763,420
	WHSCT	£18,575	£672,512
August 2011	BHSCT	£76,040	£366,471
	SHSCT	£18,931	£774,898
	WHSCT	£21,207	£634,145
September 2011	BHSCT	£57,729	£326,236
	SHSCT	£39,778	£722,727
	WHSCT	£23,042	£690,702
October 2011	BHSCT	£46,259	£363,049
	SHSCT	£29,508	£720,337
	WHSCT	£21,102	£685,844
November 2011	BHSCT	£59,300	£371,735
	SHSCT	£35,960	£720,337
	WHSCT	£22,750	£721,159
December 2011	BHSCT	£64,275	£333,352
	SHSCT	£26,347	£808,265
	WHSCT	£20,613	£741,020
January 2012	BHSCT	£74,094	£361,614
	SHSCT	£32,509	£691,171
	WHSCT	£19,668	£698,320
February 2012	BHSCT	£56,734	£323,309
	SHSCT	£25,793	£626,778
	WHSCT	£23,952	£661,320
March 2012	BHSCT	£76,054	£153,840
	SHSCT	£41,057	£865,932
	WHSCT	£40,612	£845,880
April 2012	BHSCT	£24,990	£23,533
	SHSCT	Incl in May	Incl in May
	WHSCT	Incl in May	Incl in May
May 2012	BHSCT	£99,420	£704,084
	SHSCT	£55,351	£1,397,092
	WHSCT	£55,466	£1,323,437
June 2012	BHSCT	£72,534	£323,062
	SHSCT	£28,339	£740,914
	WHSCT	£19,775	£766,198
July 2012	BHSCT	£40,975	£349,391
	SHSCT	£31,355	£668,725

Month	Trust	Patient Costs	Staff Costs
	WHSCT	£21,289	£695,123
August 2012	BHSCT	£64,320	£369,729
	SHSCT	£24,995	£786,905
	WHSCT	£28,854	£765,632
September 2012	BHSCT	£42,650	£322,654
	SHSCT	£28,904	£673,318
	WHSCT	£24,891	£618,332
October 2012	BHSCT	£106,999	£326,040
	SHSCT	£30,597	£671,894
	WHSCT	£24,907	£772,247
November 2012	BHSCT	£57,146	£353,199
	SHSCT	£28,586	£761,973
	WHSCT	£27,472	£702,154
December 2012	BHSCT	£86,054	£370,352
	SHSCT	£27,710	£815,556
	WHSCT	£17,745	£681,591
January 2013	BHSCT	£47,685	£363,475
	SHSCT	£43,599	£702,313
	WHSCT	£36,370	£763,664
February 2013	BHSCT	£87,439	£322,728
	SHSCT	£26,927	£73,948
	WHSCT	£29,089	£585,477
March 2013	BHSCT	£61,981	£299,772
	SHSCT	£38,080	£73,948
	WHSCT	£25,316	£761,381
April 2013	BHSCT	£48,891	£12,302
	SHSCT	Incl in May	Incl in May
	WHSCT	Incl in May	Incl in May
May 2013	BHSCT	£63,090	£660,600
	SHSCT	£47,157	£1,405,346
	WHSCT	£57,976	£1,149,713
June 2013	BHSCT	£70,288	£355,394
	SHSCT	£31,735	£1,046,344
	WHSCT	£29,497	£745,308
July 2013	BHSCT	£68,696	£351,079
	SHSCT	£26,796	£866,943
	WHSCT	£49,228	£690,358
August 2013	BHSCT	£60,260	£473,393
	SHSCT	£44,336	£848,159
	WHSCT	£54,928	£616,271
September 2013	BHSCT	£67,635	£305,594

Month	Trust	Patient Costs	Staff Costs
	SHSCT	£24,068	£675,743
	WHSCT	£52,746	£690,323
October 2013	BHSCT	£71,446	£391,641
	SHSCT	£42,371	£780,983
	WHSCT	£51,151	£813,609
November 2013	BHSCT	£62,426	£168,339
	SHSCT	£32,903	£845,264
	WHSCT	£35,751	£595,370
December 2013	BHSCT	£54,477	£356,780
	SHSCT	£31,025	£916,648
	WHSCT	£51,972	£767,465
January 2014	BHSCT	£57,460	£367,974
	SHSCT	£25,970	£480,618
	WHSCT	£33,306	£659,736
February 2014	BHSCT	£49,126	£306,488
	SHSCT	£40,998	£1,104,619
	WHSCT	£55,927	£630,610
March 2014	BHSCT	£73,480	£337,685
	SHSCT	£44,625	£750,298
	WHSCT	£37,465	£833,167

The Northern Trust has advised that staff costs broken down to this level are not readily available. It has provided the annual total amounts for both staff travel and patient travel.

Table 2: Northern Trust

Financial Year	Patient Costs	Staff Costs
2011-12	£555,000	£9,648,500
2012-13	£642,500	£9,035,000
2013-14	£156,000	£9,755,500

The South Eastern Trust has advised that staff costs broken down to this level are not readily available. It has also provided the annual total amounts for both staff travel and patient travel.

Table 3: South Eastern Trust

Financial Year	Patient Costs	Staff Costs
2011-12	£338,584	£5,388,835
2012-13	£273,972	£5,178,749
2013-14	£292,725	£4,676,502

Mr Allister asked the Minister of Health, Social Services and Public Safety to detail (i) the throughput figures for Emergency Departments in the Northern Health and Social Care Trust, in each of the last seven years; and (ii) the number of breaches of twelve hour waiting periods in 2007/08 compared to 2013/14.
(AQW 36618/11-15)

Mr Wells: It is assumed that this question refers to the number of attendances (new and unplanned reviews) at emergency care departments in the Northern HSC Trust.

(i) Information on the number of new and unplanned review attendances at emergency care departments in the Northern HSC Trust is detailed in Table 1 below for each of the last six years only, as this information was not collected prior to 1st April 2008.

Table 1: Number of New & Unplanned Review Attendances at Emergency Care Departments in the Northern HSC Trust (2008/09 – 2013/14)

HSC Trust / Hospital	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Antrim Area	64,612	65,594	70,902	71,175	70,859	72,037
Whiteabbey	20,955	19,006	9,860	8,614	8,306	8,643
Mid Ulster	17,700	17,251	7,587	6,133	7,115	7,978
Causeway	40,232	41,367	43,695	43,080	42,771	41,798
Northern HSC Trust	143,499	143,218	132,044	129,002	129,051	130,456

Source: EC1 Information Return

(ii) Information on the number of new and unplanned review attendances waiting longer than 12 hours to be either treated and discharged home, or admitted to hospital at emergency care departments in the Northern HSC Trust was not collected in 2007/08. Information for 2013/14 is detailed in Table 2 below.

Table 2: Attendances Waiting Longer than 12 Hours at Emergency Care Departments in the Northern HSC Trust (2013/14)

HSC Trust / Hospital	2013/14
Antrim Area	871
Whiteabbey	0
Mid Ulster	0
Causeway	156
Northern HSC Trust	1,027

Source: EC1 Information Return

Mr McCarthy asked the Minister of Health, Social Services and Public Safety whether his Department was made aware of the decision by the South Eastern Health and Social Care Trust to abolish funding from March 2015 for independent advice services including those provided by the Citizens Advice Bureau.
(AQW 36634/11-15)

Mr Wells: It is not normal practice for the Trust to advise the Department on such matters and as such, this Department was not made aware of South Eastern Health and Social Care Trust's decision.

Mr Dallat asked the Minister of Health, Social Services and Public Safety whether a risk assessment for Cushendall Fire Station has been carried out; and if so, whether he will place a copy in the Assembly Library.
(AQW 36639/11-15)

Mr Wells: NIFRS has relevant health and safety policies underpinning the risk assessment process, and a suite of generic risk assessments that cite common hazards and suitable and sufficient risk control measures for all Stations. In addition to this, each Station is audited twice per year to identify any local deficiencies which require rectification to regain assurance of risk control. The latest such assessment for Cushendall was carried out in June 2014 and identified no high priority issues.

A copy of the latest assessment will be placed in the Assembly Library for members.

Mr Swann asked the Minister of Health, Social Services and Public Safety for an update on the answer provided to AQW 32355/11-15.
(AQW 36673/11-15)

Mr Wells: The review of the Multi-Agency Support Teams for Schools (MASTS) service is complete. The Health and Social Care Board provided an update on the work in respect of the review to the Education Committee on 7 May 2014. A further update, including discussion on specific matters relating to the service in the Northern Health and Social Care Trust, was provided to the then Chair of Education Committee on 22 September 2014.

Work has continued with all the Multi-disciplinary Teams to move to an agreed principles-based model and premised upon the Allied Health Profession (AHP) 3 Tiered Model. All Trusts Multi-disciplinary Teams' Co-ordinators have continued to be involved in these discussions. A Regional Lead to facilitate this implementation was identified and took up post in September 2014.

While informal discussions around the proposed model have taken place with a range of stakeholders, a formal public consultation is required to be undertaken before the formal implementation of any model. This public consultation document is currently being developed with input from key partners including the Department of Education and parents.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36038/11-15, when the regional imaging review (i) commenced; and (ii) will be completed; and when the current Northern Ireland Picture Archiving and Communications System contract will be reviewed.
(AQW 36690/11-15)

Mr Wells: My Department initiated a review of HSC imaging services in December of last year. It is anticipated that the review will be completed in the autumn of 2015. The current Northern Ireland Picture Archiving and Communications System contract ends in September 2018, although within the current contract there is an option to extend by up to 5 years.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the waiting times for orthopaedic procedures, broken down by Health and Social Care Trust, in each of the last three years; and how he will improve waiting times.
(AQW 36692/11-15)

Mr Wells: Information on the number of people waiting for inpatient admission in the Trauma and Orthopaedic (T&O) specialty within each HSC Trust at the 30th June 2014, and the position at the end of the same quarter in each of the two years previous, is detailed in the table below, please note the Northern HSC Trust do not have an orthopaedic service.

HSC Trust	At	Length of Time Waiting (weeks)					Total Waiting
		0-6	>6-13	>13-21	>21-26	>26	
Belfast	30/06/2012	694	1,379	1,486	806	1,340	5,705
	30/06/2013	1,701	1,734	1,377	633	745	6,190
	30/06/2014	1,279	2,546	2,249	873	625	7,572
South Eastern	30/06/2012	16	10	1	0	0	27
	30/06/2013	19	4	1	0	0	24
	30/06/2014	20	5	1	0	0	26
Southern	30/06/2012	159	113	170	72	121	635
	30/06/2013	221	163	165	64	39	652
	30/06/2014	297	217	224	101	71	910
Western	30/06/2012	274	281	350	168	527	1,600
	30/06/2013	448	418	271	205	482	1,824
	30/06/2014	345	437	365	188	378	1,713

Source: DHSSPS Inpatient Waiting Times Dataset

Over the last three years the demand for orthopaedic treatments in Northern Ireland has continued to increase. The changing demographic profile of the population, increasing demand for revision surgery and changing clinical practice continues to put increasing pressure on the service.

I have been advised by the Health and Social Care Board (HSCB) that it continues to work with orthopaedic providers to assess both the staffing and infrastructure requirements for this service. Recent initiatives to improve Orthopaedic capacity include:

- The appointment of three new Orthopaedic consultants in the Belfast Trust to help reduce the current capacity gap;
- The appointment of four new Orthopaedic consultants in the Southern Trust to help meet the needs of the Craigavon and Newry and Mourne populations;
- The appointment of a locum consultant post in the Western Trust;
- Increased investment in the Regional Orthopaedic Spinal Service.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to outline the extent to which high level spinal injury standing training (C5/C6 and Higher) is available in rehabilitation settings and community settings.
(AQW 36699/11-15)

Mr Wells: The information requested is attached at Annex A.

Annex A

AQW 36699/11-15 Responses from HSC Trusts

Belfast HSC Trust

All patients with Spinal Cord Injuries (SCI) are individually assessed for potential benefits of standing by specialised staff from the SCIU team.

Specific goals for standing are identified as per the individual with on-going assessment and evaluation.

Individuals are assessed for standing in the acute stage (when medically stable), in the rehabilitation setting and where practically possible in preparation for discharge and in the community.

Where an appropriate standing frame is available in the community, the carers and those working with the patient will be provided with the necessary training for managing the patient's needs.

Southern HSC Trust

This activity is a high risk one and in the main occurs in a regional hospital in the acute phase of injury/onset for patients who have been assessed as safe to stand. Standing of spinal injury patients is carried out by highly specialist physiotherapists and is only carried out following full and comprehensive assessment identifying risks to patient. Training is patient specific and is delivered by specialist physiotherapists to members of the multidisciplinary teams when the patient's condition is more stable. This is defined as therapeutic handling. The specialist physiotherapist may then train members of the patient's family, day care staff etc so that they can carry out their ongoing personal home exercise programme.

In summary, training is only provided after full assessment of need and risk and is patient specific and it is not provided routinely. The training, when appropriate, is delivered to partners in care in a range of settings in the persons own home and various community settings.

South Eastern HSC Trust

SEHSCT does not provide high level spinal injury standing training.

However, such training could be provided on direction from the Spinal Injuries Unit at Musgrave Park Hospital.

Western HSC Trust

If a standing frame is recommended and funded by the Trust, the physiotherapist assigned to the client would provide training to family and carers, as he/she would be expected to be knowledgeable about the equipment they have recommended to their client, including its appropriate and safe use.

This could either be in a rehabilitative or community setting. It may however be difficult to train all carers providing input into a patient, due to staff availability.

If a source external to the Trust recommends a standing frame from a particular company and knowledge regarding its safe application and use is not within the scope of practice of the local physiotherapist, there is usually the opportunity to purchase a training package from the provider to facilitate training for family and carers in its safe and effective application.

Northern HSC Trust

There is no availability within rehabilitation settings or community settings for this specialist training.

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many stroke survivors have experienced significant secondary complications following discharge from rehabilitation or acute centres of care.
(AQW 36700/11-15)

Mr Wells: The information is not available in the format requested and could only be provided at disproportionate cost.

Dr McDonnell asked nister of Health, Social Services and Public Safety to detail the average cost per mobilisation for an unwanted fire signal for the Northern Ireland Fire and Rescue Service in (i) 2010/11; (ii) 2011/12; (iii) 2012/13; and (iv) 2013/14.

(AQW 36702/11-15)

Mr Wells: The Northern Ireland Fire and Rescue Service (NIFRS) do not routinely calculate the costs of attending individual call types. To calculate an average cost for Unwanted Fire Signals would require a resource intensive exercise to analyse over 30,000 incidents over the last four years. NIFRS are not in a position to provide the information requested.

Mr McCallister asked the Minister of Health, Social Services and Public Safety what action he will take to re-establish full time Emergency Department cover at Downe Hospital.
(AQW 36753/11-15)

Mr Wells: I refer the member to my answer to AQW 36422/11-15.

Mr Frew asked the Minister of Health, Social Services and Public Safety what measures his Department is taking to raise awareness of (a) Meningitis; and (b) Septicaemia.
(AQW 36778/11-15)

Mr Wells: Meningococcal meningitis and septicaemia are both part of the same disease process and therefore any action in raising awareness applies to both elements. Meningococcal disease, whilst it can occur at any age, is most common in babies and infants, the incidence then declining with a second smaller peak in the teenage years. For this reason information is particularly targeted at these age groups.

There is a section on meningitis in The Pregnancy Book, which all pregnant women receive at the start of their pregnancy. This is followed up by information provided by community midwives and health visitors. Detailed information on recognising meningococcal disease is included in the following publications produced by the Public Health Agency, which are sent to parents of all children of the relevant ages:

a. the Birth to Five book;

b. Immunisation for babies up to a year old;

c. Immunisation for babies just after their first birthday, and

d. Teenage immunisation for ages 14 to 18 years.

The above publications are supplemented by press releases from the PHA to raise general awareness, and this year information was sent to all students starting university in the autumn. Details of the symptoms of meningitis have also been included on the NI Direct website.

In addition DHSSPS has provided funding to the Meningitis Research Foundation (MRF), a national registered charity which, as well as funding research to prevent meningitis and septicaemia, promotes education and awareness, and provides support to people affected.

A key part of MRF's work focuses on ensuring the public are aware of the symptoms of meningitis and septicaemia, and that acting quickly can save lives. They run public awareness media campaigns and provide targeted information talks and literature for key local health professionals and "at risk" community groups.

Mr Campbell asked the Minister of Health, Social Services and Public Safety to detail the maximum number of available hours that MRI scanners could have been utilised in 2013; and how many, out of the available hours, was each scanner not in use.
(AQW 36800/11-15)

Mr Wells: The working hours of MRI and CT scanners varies across hospitals even within each HSC Trust. The core working hours for MRI scanners are mainly Monday to Friday between 8:00am and 5:00pm although some scanners may only carry out a few sessions per week dependent on the size of scanner and the nature of the commissioned service. Additional activity can be carried out in the evenings and at weekends to meet elective demand or to provide out of hours and emergency on-call services.

The information requested is attached in table format.

Trust	Operational (2013)	Downtime	% of Downtime	Notes
SEHSCT	4628 (2 scanners)	Not held	N/K	
NHSCT	3998 (1 scanner)	Estimated 302 hrs	7.5%	Scanner is 10 years old old and due for replacement in March 2015
WSCT	4927 (2 scanners)	84 hours p.a. incl planned and unplanned	1.7% downtime	
SHSCT`	3750 (1 scanner)	Est 16 hrs pa for planned maintenance	0.4% downtime	
BHSCT	12720 (7 scanners)	Not held	N/K	

Mr A Maginness asked the Minister of Health, Social Services and Public Safety whether the Belfast Health and Social Care Trust has a policy for the discharge of day patients from outpatient care, in the same way that there is a policy on discharging inpatients.
(AQW 36811/11-15)

Mr Wells: It is assumed this question refers to patients being discharged following day surgery. The Belfast Health and Social Care Trust has advised that discharge arrangements would vary by specialty and be fine tuned to the procedure. It would generally include ensuring completion of the planned procedure or performing another procedure justified by the clinical circumstances. The discharge arrangements would also include ensuring that the patient: has recovered from anaesthesia; is comfortable, alert and stable; has no active bleeding, nausea or vomiting; is mobile at or near their pre-procedure level; has someone to accompany them; and, has appropriate transport arrangements. In addition the discharge would ensure that adequate analgesia has been provided or arranged.

Mr B McCrea asked the Minister of Health, Social Services and Public Safety for his assessment of how effective Transforming Your Care has been in (i) saving money; and (ii) providing better healthcare.
(AQW 36816/11-15)

Mr Wells: "Transforming Your Care" (TYC) is not about reducing the investment and spending in health and social care services: it is about working within our budget and making the best use of the resources available.

The transformation of the delivery of health and social care services outlined in TYC is a 3 to 5 year journey and we are still very much in the implementation phase of this considerable change programme. The HSCB is considering the detail of an assessment to measure the delivery of the 4 TYC Strategic Objectives

- Putting the individual at the centre of the service delivery model for health and social care services
- Enabling Patients, Clients and Users to live independently at home with greater choice and access
- Providing sustainable and resilient services and ensures the workforce is equipped to deliver care in the right setting
- Making best use of the resources available and has the right enablers in place to deliver

Mrs Dobson asked the Minister of Health, Social Services and Public Safety how many local patients have received shoulder surgery in hospitals in other regions of the UK or abroad, in each month of the last three years; and to detail the (i) hospitals that provided surgery; and (ii) travel and subsistence expenses incurred; and for his assessment of the post-surgical care provided to patients upon return to Northern Ireland.
(AQW 36829/11-15)

Mr Wells: There have been fewer than 5 patients per annum referred to England for shoulder treatment through the Extra Contractual Referral (ECR) process in each of the last three years.

(i) The hospitals involved were:
- Guys and St Thomas
- Wrightington Hospital
- University College Hospital London
- Dorset Orthopaedic Hospital
- Royal National Orthopaedic Hospital
- Leicester Glenfield Hospital

(ii) Travel and subsistence costs can be summarised as:

Same day return (for assessment or day case procedure) depending on whether the patient is accompanied by an escort	£240 - £480
Overnight stay depending on whether the patient is accompanied by an escort;	£350 - £500
5 day stay for surgical procedure assuming escort and inpatient episode.	£1,025 - £1,200

The local referring consultant is responsible for ongoing clinical oversight, local diagnostics and for the post-operative reintegration of the patient into local services should this prove necessary.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the number of local patients (i) who are taking part in existing clinical trials; and (ii) who have entered new clinical trials, in each of the last three years.
(AQW 36830/11-15)

Mr Wells: The requested information is not currently available and could only be acquired at disproportionate cost.

Mr Campbell asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36026/11-15, how the current prevalence rate of dementia of 6.67 per thousand compares to the current rates in (a) England; (b) Scotland; and (c) Wales.
(AQW 36845/11-15)

Mr Wells: The most recently published figures for the prevalence of dementia cover the period 2013-14 and show a prevalence rate of 0.8%, or 8 per thousand, for Scotland. Wales and England will publish their prevalence rates for 2013-14 later this month.

Mr Copeland asked the Minister of Health, Social Services and Public Safety to detail the range of budgetary pressures faced by his Department which (i) he has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36882/11-15)

Mr Wells: My Department is facing considerable financial challenges in 2014/15, with some £160 million of additional resources estimated to be required in order to balance the books. Some of these have been addressed through £80m of additional Executive funding, but some £70m remains to be managed.

The situation does not get better in 2015/16, with additional pressures within health and social care of over £300m on top of those pressures carried forward from 2014/15 which were dealt with through non-recurrent measures. The largest inescapable pressure within this is in relation to additional pension costs – estimated to be in the region of £90m. There are also substantial pressures in 2015/16 in relation to demographic changes, NICE drugs, elective care and Mental Health and Learning Disability resettlements.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety when the adolescent carriage study for the Meningococcal Group B vaccine, as recommended by the Joint Committee on Vaccination and Immunisation in February 2014, will commence.
(AQW 36887/11-15)

Mr Wells: At the Joint Committee on Vaccination and Immunisation meeting held in June, the Committee was informed that the Department of Health, England would be putting out a tender for an intervention carriage study to take place during 2015/16.

I welcome this study and look forward to receiving a further recommendation from JCVI in due course.

Mr Allister asked the Minister of Health, Social Services and Public Safety what steps are being taken to secure the services of an urology clinical nurse specialist in the Northern Health and Social Care Trust.
(AQW 36913/11-15)

Mr Wells: The Northern Health and Social Care Trust have advised that three urology nurse specialists are in post and there are currently no vacancies within the team.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety how hip problems are identified in newborns; and whether he will agree to introduce an increased number of check ups when newborns leave hospital to identify hip problems before surgery is required.
(AQW 36930/11-15)

Mr Wells: I have been advised that examination/assessment of hips is routinely offered to all infants, at each of the current four universal Health and Social Care contacts with infants up to 4 months of age i.e.

- at the neonatal examination, within 72 hours of birth.
- at the new baby review (between 10-14 days old).
- at six to eight weeks of age.
- at 14-16 weeks of age.

The Public Health Agency has advised that it is not aware of any evidence which supports the introduction of additional examinations or assessments of infants for hip conditions.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety how many paediatric pathologists are currently employed by his Department and its agencies.
(AQW 36942/11-15)

Mr Wells: The regional specialism of Paediatric Pathology is held within the Belfast Trust. At the date of writing there were 2 (2.0 whole-time equivalent) Paediatric Consultant Pathologists employed by the Trust. A newly commissioned post has been filled and a further Consultant is due to start work on the 13th October 2014, bringing the complement to 3 (3.0 whole-time equivalent).

Mr Flanagan asked the Minister of Health, Social Services and Public Safety whether his Department has published, or has considered publishing, a strategy to reduce the number of infant deaths.
(AQW 36943/11-15)

Mr Wells: The Strategy for Maternity Care in Northern Ireland 2012-18 is currently being implemented. This strategy aims to ensure the best possible start in life for infants and includes care from conception advice through pregnancy, birth and the postnatal period.

The Public Health Agency (PHA) is involved in a number of programmes and work streams for which child safety is the focus, including early intervention, family support programmes and service quality improvement in initiatives. The PHA also publishes two key books ('The Pregnancy Book' and 'Birth to Five') which highlight the risks associated with cot death and Sudden Infant Death Syndrome.

The PHA has also been working closely with the Safeguarding Board NI to develop processes for interagency collaboration in the review of all child deaths in NI in line with Safeguarding Legislation (Child Death Overview Panel – CDOP). The time frame for the establishment of a CDOP in Northern Ireland is 2015/16.

Within this context, it is not considered that there is a need for a separate strategy to reduce the number of infant deaths.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail the funding provided by his Department for research into stillbirths and early neonatal deaths, in each of the last nine years.
(AQW 36944/11-15)

Mr Wells: The HSC R&D Division of the PHA allocates funding from the HSC R&D fund on behalf of my Department. Recipients include all HSC Trusts; both Northern Ireland Universities; and the third sector. Funding supports the development of research that benefits health and social care.

Table 1 details research projects relating to stillbirths and neonatal deaths and the funding allocated in the last nine years.

Table 2 shows projects funded previously during a period of commissioning activity focused on health inequalities, New Targeting Social Need, and also two funded under the Child Health & Welfare Recognised Research Group.

Table 1: Research projects relating to stillbirths and neonatal deaths: funding allocated in the last nine years

Project ID	Title	Award
RES/3148/05	Small Grants 2005: Identifying intrauterine growth restriction in a low risk population: experience and attitudes of midwives, obstetricians and ultrasonographers	£20,000
EAT/3474/06	2007 Doctoral Fellowship: An investigation into the role of placental p38 MAPKα in diabetic pre-eclampsia	£93,852
RES/4602/11	Reproductive care for HIV affected men and women	£88,732
RES/4784/13	Maximising the impact of an innovative preconception counselling resource for women with diabetes	£94,752
COM/4763/13	Improving diagnosis, prevention and treatment of infections in pregnancy	£14,018
EAT/4836/13	Simple Steps to a healthier pregnancy; a physical activity intervention in overweight and obese pregnant women to aid weight management in pregnancy	£76,157
EAT/4904/13	2014 Doctoral Fellowship: Clinical utility of 3D power Doppler ultrasound and maternal biomarkers in the prediction of pre-eclampsia in high risk pregnancies	£194,043
COM/4952/14	Opportunity-Led Research Proposal: Infant Death and Co-Sleeping	£10,000
	Total	**£591,554**

Table 2: Projects funded previously during a period of commissioning activity focused on health inequalities, New Targeting Social Need, and also two funded under the Child Health & Welfare Recognised Research Group.

Project ID	Title	Award
RRG/1360/00	RRG 5.2 Diabetes, obesity, intrauterine growth and atherosclerosis: the fetal origins hypothesis	£508,618
RRG/1356/00	RRG.3.7 Habituation in the normal and abnormal foetus	£414,000
EAT/3013/04	2005 HSCSR Studentship: Risk of Congenital Anomaly among multiple births in Europe	£72,120
COM/2183/02	Social Inequalities in access, offer and uptake of antenatal screening in Northern Ireland	£117,337

Project ID	Title	Award
DIS/2035/02	Cochrane Fellowship: Plastic barriers for the reduction of heat loss in preterm infant immediately after birth	£13,943
COM/2182/02	Improving outcome of pregnancy and early infancy with an intervention study in women from socially deprived areas of Belfast	£637,985
COM/2175/02	Monitoring inequalities in pregnancy outcome in Northern Ireland with UK comparisons	£151,482
	Total	**£1,915,485**

Ms Sugden asked the Minister of Health, Social Services and Public Safety what engagement his Department have had with staff from the Northern Health and Social Care Trust, since 2009, as part of the Personal and Public Involvement Strategy.
(AQW 36969/11-15)

Mr Wells: The Health and Social Care Reform Act (NI) 2009 placed a statutory legislative requirement on HSC organisations to involve and consult the population on the planning, delivery and evaluation of the services they provide. In particular, they were required to prepare a consultation scheme setting out how they would this and submit it to the Department for approval. The Department engaged with the Northern Trust in the development of its Personal and Public Involvement (PPI) Consultation scheme.

The Public Health Agency has responsibility for leading implementation of PPI policy across the HSC. This responsibility is taken forward through the Regional PPI Forum, which includes representation from all HSC organisations, the Department, as well as community and voluntary sector representatives, service users and carers.

The Northern HSC Trust and the Department engage on a regular basis at the Regional PPI Forum.

Mr Girvan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36181/11-15, to detail (i) whether any individual service user receives weekly respite; (ii) what specific criteria is used to assess need; and (iii) whether it is used to full capacity or if there are any staffing issues.
(AQW 36970/11-15)

Mr Wells: No one receives respite care in Hollybank on a weekly basis.

Admittance to Hollybank is governed by the criteria for residential care under the care management guidance, combined with a carers assessment which indicates their need for short breaks, and the clinical or professional judgement of relevant practitioners. People should also have a diagnosed learning disability and be eighteen years of age and over.

There is an allocation panel that considers the individual and the other supports they may have. The panel also have to consider the combination of service users in the building to ensure that they are compatible.

The service is working to full capacity and there are no issues apart from usual absence and leave management matters, as with any other service. There are a number of vacancies which are in the process of being filled.

Ms Sugden asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 35971/11-15, with staff cuts to Ballykelly Private Hospital threatening the effectiveness of health service provision, whether he has any plans to extend services elsewhere in East Londonderry, specifically at the Causeway Hospital.
(AQW 36974/11-15)

Mr Wells: The North West Independent Hospital in Ballykelly is one of a number of independent sector healthcare providers with which some Health and Social Care (HSC) Trusts have contracts for the provision of additional elective capacity through non-recurrent waiting list funding.

A decision was taken by the Health and Social Care Board in July 2014 to pause waiting list initiative arrangements pending clarification of the 2014/15 financial position. The Board wrote to independent sector providers on 1st October 2014 to say that pending further clarification of the 2014/15 financial position, no new patients would be transferred to the independent sector and patients who had not yet been given a date for their assessment should be returned to the referring HSC Trust.

I regret that the HSC Board has had to take this measure and I sympathise with the uncertainty it has caused for the management and staff of the North West Independent Hospital; however it is necessary to constrain spending in light of the significant financial pressures which my Department is facing. I met with management of the North West Independent Hospital on 10 October 2014 to discuss these issues at first hand.

I am advised that the HSC Board and its Local Commissioning Groups are continuing to work with the HSC Trusts to address shortfalls in elective capacity within the resources available. This may include increasing capacity at Causeway and other hospitals.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the timescale for the South Eastern Health and Social Care Trust to demolish the residential care home in Kilcooley, Bangor.
(AQW 36986/11-15)

Mr Wells: The SEHSCT has advised me that demolition of Ravara House, Kilcooley, Bangor is scheduled for completion by 24th November 2014.

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety how many interpreters have been registered to speak (i) Portuguese; (ii) Hungarian; (iii) Russian; and (iv) Lithuanian in each of the last five years.
(AQW 36991/11-15)

Mr Wells: Face-to-face interpreting in the HSC is administered on a regional basis by the NI Health & Social Care Interpreting Service (NIHSCIS). The NIHSCIS has provided below the numbers of interpreters registered with NIHSCIS for each requested language and in each of the last five years.

Language	2010	2011	2012	2013	2014 (to 7th October)
Portuguese	22	22	22	25	25
Hungarian	8	10	11	15	15
Russian	21	23	21	23	22
Lithuanian	20	21	32	39	39

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety how much has been claimed in mileage costs for each interpreter in the languages of (i) Portuguese; (ii) Hungarian; (iii) Russian; and (iv) Lithuanian in each of the last five years.
(AQW 36992/11-15)

Mr Wells: Mileage costs are not monitored centrally. HSC finance departments advise that the costs are not available in the format requested.

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety how many times the Northern Ireland Audit Office has investigated the work of Northern Ireland Health and Social Services Interpreting Service in the last five years.
(AQW 36993/11-15)

Mr Wells: My Department is not aware of any investigations which the Northern Ireland Audit Office has carried out on the work of the Northern Ireland Health and Social Services Interpreting Service.

Mr Campbell asked the Minister of Health, Social Services and Public Safety what practical steps he intends to take to support the Quality Checklist campaign by Prostate Cancer UK.
(AQW 36995/11-15)

Mr Wells: It is the responsibility of the Health and Social Care Board (HSCB) and the HSC to ensure that prostate cancer services are up to modern quality levels. The Prostate Cancer UK quality checklist is an excellent guide to the standard of care needed to treat prostate cancer.

Of the 15 standards detailed in the Prostate Cancer UK Quality Checklist, 13 are fully or substantially implemented in NI. With regard to the remaining two standards, the position is as follows:

Standard 7:- The HSC is working towards a position in which all patients who need to access a specialist nurse will be able to do so.

Standard 10:- Currently GPs receive a letter outlining patients' care and proposed plan and all patients are subsequently advised verbally of their care plan. The HSC is working towards a position in which all patients receive a written care plan.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail the timescale for the plans to (i) introduce additional Rapid Response Vehicles to operate alongside emergency ambulances; (ii) to utilise additional deployment points and new Satellite Navigation systems; and (iii) to open a new Regional Emergency Medical Dispatch Centre.
(AQW 37021/11-15)

Mr Wells: These are matters for the Northern Ireland Ambulance Service Trust. The Trust has advised that it operates Rapid Response Vehicles and A&E ambulances and is not currently planning to increase these. The Trust also operates satellite navigation software in ambulances and deployment points. A single Regional Emergency Ambulance Control Centre, responsible for prioritising and dispatching responses to emergency 999 calls, is based at ambulance headquarters in Knockbracken Healthcare Park, Belfast.

There are no further plans at present in respect of these areas

Mr Swann asked the Minister of Health, Social Services and Public Safety whether the Northern Health and Social Care Trust have a 'Complex Case Panel' in operation.
(AQW 37022/11-15)

Mr Wells: The Northern Health and Social Care Trust does have a complex case panel in operation. This is a multi-agency forum within which case workers consult with others on the management of complex child protection cases to explore options for intervention to achieve effective outcomes. Families are informed when such meetings are convened and may be invited to participate. These meetings are chaired by Head of Children's Services and the outcomes of the discussions are shared with the family, Senior Management and other professionals involved and may be used to inform Child Protection assessments and plans.

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety whether the recommendations from NHS England regarding the drug Translarna will be translated and implemented locally.
(AQW 37023/11-15)

Mr Wells: The Health and Social Care Board (HSCB) is responsible for the commissioning of all specialist drug treatments in Northern Ireland. The HSCB has advised that it is aware that NHS England is consulting on a draft policy statement regarding access to ataluren for the treatment of Duchenne muscular dystrophy (DMD).

Although ataluren has received a licence from the European Commission, the manufacturer has not yet made it available for purchase in the UK. Once the drug is available for purchase in the UK, then requests for access will be considered through the Individual Funding Request process. The HSCB will continue to monitor progress with the formal national evaluation.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) the number of crutches issued, including their value; and (b) the number of crutches returned in the last five years.
(AQW 37024/11-15)

Mr Wells:

(i) Procurement and Logistics Service within the Business Services Organisation issue crutches from the warehouse to HSC Trusts for use by patients. In addition, non-stock purchases of crutches can also be made, which are delivered directly to HSC Trusts by suppliers. The following table shows the number of crutches received by HSC Trusts including their value, in each of the last five years.

Year	Number of pairs of crutches issued from warehouse stock	Number of pairs of crutches from non-stock purchases	Total Value (£)
2009/10	15,003	1,106	129,927
2010/11	15,735	791	132,643
2011/12	16,161	801	139,962
2012/13	17,465	1,420	155,640
2013/14	19,024	1,162	195,312

Source: Business Services Organisation Procurement and Logistics Service

(ii) Information on the number of crutches returned by patients to HSC Trusts is not recorded centrally and would involve an extensive manual exercise, which could only be provided at disproportionate cost.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) the total value of car parking charges collected in the last five years; and (ii) how the revenue generated was spent.
(AQW 37025/11-15)

Mr Wells:

(i) The total value of car parking charges collected in the last five years within the Health and Social Care Sector is £15.03 million.

(ii) The revenue generated is used to cover the costs of the provision and maintenance of car parking including the associated security costs. In the event there is a surplus, it is reinvested in patient services. This is in accordance with the Department's policy on car parking provision.

Mr Copeland asked the Minister of Health, Social Services and Public Safety how many staff in (i) his Department; and (ii) its arm's-length bodies are employed on zero hour contracts.
(AQW 37034/11-15)

Mr Wells: 'Zero-hour contracts' are mainly applicable in the private sector and are not used in employment contracts within my Department and its arm's-length bodies.

Mr McNarry asked the Minister of Health, Social Services and Public Safety, given that Sciatica patients can experience pain particularly in early morning and that MRI appointments scheduled for 8.00am are not good practice, how his Department will rectify this.
(AQW 37048/11-15)

Mr Wells: The working hours of MRI and CT scanners vary across hospitals even within each HSC Trust. The core working hours for MRI scanners are mainly Monday to Friday between 8:00am and 5:00pm. I understand that HSC Trusts routinely ask patients in their appointment letters to confirm if the proposed date and time of the appointment is suitable. If a patient has any query regarding the time of appointments they should in the first instance take the matter up with the Trust concerned.

Mr McGlone asked the Minister of Health, Social Services and Public Safety, in relation to domiciliary care packages, to detail the current number of people in each Health and Social Care Trust whose packages have been approved but are still waiting for the package to be implemented; and of these outstanding care packages, to detail how many hours of care to which this equates.
(AQW 37053/11-15)

Mr Wells: The information requested is not held centrally and was therefore requested from the five Health and Social Care (HSC) Trusts. Their responses can be found in Tables 1-5 and the associated text overleaf.

Table 1. The number of people whose domiciliary care package has been approved but not yet implemented and the hours of care to which this equates by HSC Trust.

HSC Trust	No. of packages approved but not implemented	No. of hours approved but not implemented
Belfast	51	251
Northern[1]	-	-
South Eastern	36	331
Southern	3	22
Western	19	108.75

Table 2. The number of domiciliary care hours approved but not yet implemented by provider and HSC Trust.

HSC Trust	No. of hours to be provided by HSC Trust	No. of hours to be provided by private care providers
Belfast	68	183
Northern[1]	-	-
South Eastern	0	331
Southern[2]	0	22
Western[3]	-	-

Table 3. The number of domiciliary care packages approved and due to be provided by a HSC Trust, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	11	5	2	0	18
Northern[1]	-	-	-	-	-
South Eastern	0	0	0	0	0
Southern	0	0	0	0	0
Western3	-	-	-	-	-

Table 4. The number of domiciliary care packages approved and due to be provided by a private care provider, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	20	12	1	0	33
Northern[1]	-	-	-	-	-
South Eastern	25	2	5	4	36
Southern[2]	1	2	0	0	3
Western[3]	-	-	-	-	-

The Western HSC Trust was unable to provide waiting times for domiciliary care packages to be provided by the Trust and private providers separately, as the choice of provider is dependent on local provider availability at the time of implementation. However, the Trust provided an overall waiting times breakdown as follows:

Table 5. The number of domiciliary care packages approved by Western HSC Trust and due to be provided, by length of time waiting.

Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
4	1	2	12	19

1. The Northern HSC Trust was unable to provide figures as their information on the brokerage of domiciliary care packages is currently undergoing validation.
2. The Southern HSC Trust indicated that their current allocation model means that all domiciliary care packages are offered to independent sector providers in the first instance. For this reason, figures provided by the Southern HSC Trust have been presented in the 2nd column of Table 2 and in Table 4.
3. The Western HSC Trust indicated that it is not possible for the Trust to pre-determine if a care package will be provided by the Trust or an independent sector organization, as the choice of provider is dependent on local provider availability at the time of implementation. See Table 5 for an overall breakdown of waiting times for domiciliary care packages in the Western HSC Trust.

Mr McGlone asked the Minister of Health, Social Services and Public Safety, in relation to domiciliary care packages, of the total number of hours of care that are approved but not implemented, to detail how many of these hours are to be filled by (a) Health and Social Care Trusts; and (b) private care providers.
(AQW 37054/11-15)

Mr Wells: The information requested is not held centrally and was therefore requested from the five Health and Social Care (HSC) Trusts. Their responses can be found in Tables 1-5 and the associated text overleaf.

Table 1. The number of people whose domiciliary care package has been approved but not yet implemented and the hours of care to which this equates by HSC Trust.

HSC Trust	No. of packages approved but not implemented	No. of hours approved but not implemented
Belfast	51	251
Northern[4]	-	-
South Eastern	36	331
Southern	3	22
Western	19	108.75

Table 2. The number of domiciliary care hours approved but not yet implemented by provider and HSC Trust.

HSC Trust	No. of hours to be provided by HSC Trust	No. of hours to be provided by private care providers
Belfast	68	183
Northern[1]	-	-
South Eastern	0	331

HSC Trust	No. of hours to be provided by HSC Trust	No. of hours to be provided by private care providers
Southern[5]	0	22
Western[6]	-	-

Table 3. The number of domiciliary care packages approved and due to be provided by a HSC Trust, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	11	5	2	0	18
Northern[1]	-	-	-	-	-
South Eastern	0	0	0	0	0
Southern	0	0	0	0	0
Western[3]	-	-	-	-	-

Table 4. The number of domiciliary care packages approved and due to be provided by a private care provider, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	20	12	1	0	33
Northern[1]	-	-	-	-	-
South Eastern	25	2	5	4	36
Southern[2]	1	2	0	0	3
Western[3]	-	-	-	-	-

The Western HSC Trust was unable to provide waiting times for domiciliary care packages to be provided by the Trust and private providers separately, as the choice of provider is dependent on local provider availability at the time of implementation. However, the Trust provided an overall waiting times breakdown as follows:

Table 5. The number of domiciliary care packages approved by Western HSC Trust and due to be provided, by length of time waiting.

Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
4	1	2	12	19

1. The Northern HSC Trust was unable to provide figures as their information on the brokerage of domiciliary care packages is currently undergoing validation.

2. The Southern HSC Trust indicated that their current allocation model means that all domiciliary care packages are offered to independent sector providers in the first instance. For this reason, figures provided by the Southern HSC Trust have been presented in the 2nd column of Table 2 and in Table 4.

3. The Western HSC Trust indicated that it is not possible for the Trust to pre-determine if a care package will be provided by the Trust or an independent sector organization, as the choice of provider is dependent on local provider availability at the time of implementation. See Table 5 for an overall breakdown of waiting times for domiciliary care packages in the Western HSC Trust.

Mr McGlone asked the Minister of Health, Social Services and Public Safety, in relation to domiciliary care packages, of the packages that have been approved and are due to be implemented through Health and Social Care Trusts, how many have been currently outstanding for (i) up to two weeks; (ii) up to four weeks; (iii) up to two months; and (iv) more than two months since being approved.
(AQW 37055/11-15)

Mr Wells: The information requested is not held centrally and was therefore requested from the five Health and Social Care (HSC) Trusts. Their responses can be found in Tables 1-5 and the associated text overleaf.

Table 1. The number of people whose domiciliary care package has been approved but not yet implemented and the hours of care to which this equates by HSC Trust.

HSC Trust	No. of packages approved but not implemented	No. of hours approved but not implemented
Belfast	51	251
Northern7	-	-
South Eastern	36	331
Southern	3	22
Western	19	108.75

Table 2. The number of domiciliary care hours approved but not yet implemented by provider and HSC Trust.

HSC Trust	No. of hours to be provided by HSC Trust	No. of hours to be provided by private care providers
Belfast	68	183
Northern[1]	-	-
South Eastern	0	331
Southern[8]	0	22
Western[9]	-	-

Table 3. The number of domiciliary care packages approved and due to be provided by a HSC Trust, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	11	5	2	0	18
Northern[1]	-	-	-	-	-
South Eastern	0	0	0	0	0
Southern	0	0	0	0	0
Western[3]	-	-	-	-	-

Table 4. The number of domiciliary care packages approved and due to be provided by a private care provider, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	20	12	1	0	33
Northern1	-	-	-	-	-
South Eastern	25	2	5	4	36
Southern[2]	1	2	0	0	3
Western[3]	-	-	-	-	-

The Western HSC Trust was unable to provide waiting times for domiciliary care packages to be provided by the Trust and private providers separately, as the choice of provider is dependent on local provider availability at the time of implementation. However, the Trust provided an overall waiting times breakdown as follows:

Table 5. The number of domiciliary care packages approved by Western HSC Trust and due to be provided, by length of time waiting.

Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
4	1	2	12	19

7. The Northern HSC Trust was unable to provide figures as their information on the brokerage of domiciliary care packages is currently undergoing validation.

8. The Southern HSC Trust indicated that their current allocation model means that all domiciliary care packages are offered to independent sector providers in the first instance. For this reason, figures provided by the Southern HSC Trust have been presented in the 2nd column of Table 2 and in Table 4.

9. The Western HSC Trust indicated that it is not possible for the Trust to pre-determine if a care package will be provided by the Trust or an independent sector organization, as the choice of provider is dependent on local provider availability at the time of implementation. See Table 5 for an overall breakdown of waiting times for domiciliary care packages in the Western HSC Trust.

Mr McGlone asked the Minister of Health, Social Services and Public Safety, in relation to domiciliary care packages, of the packages that have been approved by Health and Social Care Trusts and are due to be implemented through private care providers, how many have been currently outstanding for (i) up to two weeks; (ii) up to four weeks; (iii) up to two months; (iv) more than two months since being approved.
(AQW 37056/11-15)

Mr Wells: The information requested is not held centrally and was therefore requested from the five Health and Social Care (HSC) Trusts. Their responses can be found in Tables 1-5 and the associated text overleaf.

Table 1. The number of people whose domiciliary care package has been approved but not yet implemented and the hours of care to which this equates by HSC Trust.

HSC Trust	No. of packages approved but not implemented	No. of hours approved but not implemented
Belfast	51	251
Northern[10]	-	-
South Eastern	36	331
Southern	3	22
Western	19	108.75

Table 2. The number of domiciliary care hours approved but not yet implemented by provider and HSC Trust.

HSC Trust	No. of hours to be provided by HSC Trust	No. of hours to be provided by private care providers
Belfast	68	183
Northern[1]	-	-
South Eastern	0	331
Southern[11]	0	22
Western[12]	-	-

Table 3. The number of domiciliary care packages approved and due to be provided by a HSC Trust, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	11	5	2	0	18
Northern[1]	-	-	-	-	-
South Eastern	0	0	0	0	0
Southern	0	0	0	0	0
Western[3]	-	-	-	-	-

Table 4. The number of domiciliary care packages approved and due to be provided by a private care provider, by length of time waiting and HSC Trust.

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
Belfast	20	12	1	0	33
Northern[1]	-	-	-	-	-

HSC Trust	Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
South Eastern	25	2	5	4	36
Southern[2]	1	2	0	0	3
Western[3]	-	-	-	-	-

The Western HSC Trust was unable to provide waiting times for domiciliary care packages to be provided by the Trust and private providers separately, as the choice of provider is dependent on local provider availability at the time of implementation. However, the Trust provided an overall waiting times breakdown as follows:

Table 5. The number of domiciliary care packages approved by Western HSC Trust and due to be provided, by length of time waiting.

Up to 2 weeks	2 weeks to 4 weeks	4 weeks to 2 months	More than 2 months	Total
4	1	2	12	19

10. The Northern HSC Trust was unable to provide figures as their information on the brokerage of domiciliary care packages is currently undergoing validation.

11. The Southern HSC Trust indicated that their current allocation model means that all domiciliary care packages are offered to independent sector providers in the first instance. For this reason, figures provided by the Southern HSC Trust have been presented in the 2nd column of Table 2 and in Table 4.

12. The Western HSC Trust indicated that it is not possible for the Trust to pre-determine if a care package will be provided by the Trust or an independent sector organization, as the choice of provider is dependent on local provider availability at the time of implementation. See Table 5 for an overall breakdown of waiting times for domiciliary care packages in the Western HSC Trust.

Mr Copeland asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32999/11-15 and AQW 36524/11-15, will he now answer the original question that was asked in cases where the number of incidences was more than five.
(AQW 37062/11-15)

Mr Wells: I refer the member to previous answers given to AQW 32999/11-15 and AQW 36524/11-15. The HSCB/PHA does not collect information on SAIs on an individual hospital basis. This is only available on a Trust basis. The figures broken down on a Trust basis have been provided in response to your question raised as AQW 37062/11-15.

The HSCB/PHA publishes information on SAIs on a six monthly basis. The latest SAI report for the period October 2013 to March 2014 can be accessed at -

http://www.hscboard.hscni.net/board/meetings/June%202014/Item%2015%20-%2004%20-%20HSCB-PHA%20Serious%20Adverse%20Incidents%20Learning%20Report%20March%202014%20PDF%20689KB.pdf#search="learning report"

Mr Copeland asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36525/11-15, to detail the number of Serious Adverse Incidents, broken down by Health and Social Care Trust, in each of the last ten years.
(AQW 37063/11-15)

Mr Wells: The number of Serious Adverse Incidents, broken down by Health and Social Care Trust, in each of the last ten years is outlined in the table below.

	No. of SAI's by Calendar year										
Trust	**2004**	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**Total**
BHSCT	8	60	81	56	64	46	47	79	77	85	603
SEHSCT	1	19	48	44	62	54	55	49	63	131	526
SHSCT	5	12	18	29	79	32	43	37	47	57	359
WHSCT	5	74	67	135	96	62	32	28	37	53	589
NHSCT	2	38	26	45	90	75	35	49	41	57	458
Total	**21**	**203**	**240**	**309**	**391**	**269**	**212**	**242**	**265**	**383**	**2535**

The SAI system was established in July 2004. The 2004 figures are for the period July 2004 to 31 December 2004.

The figures for July 2004 to 31 March 2009 include SAIs reported by legacy Trusts.

The HSC Board took over responsibility for the SAI system on 1 May 2010. The figures for 1 January – 30 April 2010 were provided by the Department and the figures from 1 May 2010 to 31 December 2010 were provided by the HSC Board.

Figures for 2013 are not completely comparable with previous years as the definition of an SAI and the associated guidance was changed in October 2013 to encompass a wider range of incidents.

The HSCB/PHA publishes information on SAIs on a six monthly basis. The latest SAI report for the period October 2013 to March 2014 can be accessed at -

http://www.hscboard.hscni.net/board/meetings/June%202014/Item%2015%20-%2004%20-%20HSCB-PHA%20Serious%20Adverse%20Incidents%20Learning%20Report%20March%202014%20PDF%20689KB.pdf#search="learning report"

Mr Campbell asked the Minister of Health, Social Services and Public Safety to detail the number of live births at each main acute hospital in each of the last two years.
(AQW 37066/11-15)

Mr Wells: Information on the number of live births at each main acute hospital is published on an annual basis in the Northern Ireland Hospital Statistics: Inpatient and Day Case Activity publication (Table 4c) and is available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm

The number of live births at each main acute hospital in each of the last two years is given in the table below.

Hospital	2012/13	2013/14
Mater Infirmorum1	1,119	193
Royal Maternity	5,521	6,087
Antrim	2,629	2,682
Causeway	1,420	1,289
Downe	100	74
Lagan Valley	204	202
Ulster	4,047	4,064
Craigavon Area	4,184	4,021
Daisy Hill	1,892	1,787
Altnagelvin Area	2,744	2,692
South West Acute	1,254	1,239
Northern Ireland Total	25,114	24,330

Source: KP19 return

Note;-

1 During 2013/14, the Mater Infirmorum became a midwife-led unit.

Mr Allister asked the Minister of Health, Social Services and Public Safety, in preparing a proposal document on the future of adult care and support, whether he will commit to protecting family farms from having to be sold to pay for care in residential care homes.
(AQW 37067/11-15)

Mr Wells: The Reform of Adult Care and Support is a three stage process which will establish the future direction and funding of adult care and support in Northern Ireland.

Having completed the first stage with a consultation on the discussion document "Who Cares? The Future of Adult Care and Support in Northern Ireland", I am aware of concerns around the current funding arrangements for residential and nursing home care, particularly in relation to the sale of property to pay for care.

These and other issues raised during the consultation will inform the development of proposals for change, which is the focus of the second stage of the reform project. However, as the project is currently in the early stages of developing such proposals it is not possible at this point to commit to specific reforms.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the timeframe for the South Eastern Health and Social Care Trust to build supported living accommodation for the older people at the Ravara site in Kilcooley, Bangor.
(AQW 37075/11-15)

Mr Wells: Ark Housing Association has been appointed to work with the South Eastern Trust to develop a supported living scheme for older people in the North Down area.

The Trust's Executive Management Team endorsed the outline business case on 7 October 2014 and will submit this to DSD Supporting People for consideration.

It is expected that the land purchase will be completed by the end of December 2014, with planning approval expected within four to five months after application and a build time of approximately 18 months.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for his assessment of the substitute prescribing programme operated by the Health and Social Care Board.
(AQW 37084/11-15)

Mr Wells: During 2012/13, 755 individuals were in contact with Substitute Prescribing treatment services across Northern Ireland. These services are evidence based and operate in line with UK wide guidelines provided by NICE and four UK Health Departments.

Substitute Prescribing schemes have been shown to help engage and retain clients in treatment and, for some clients, can help to stabilise chaotic lives. Therefore the scheme in Northern Ireland supports individuals to remain healthy until – with appropriate treatment, help and support – they can recover from drug misuse.

It should be noted that the Health and Social Care Board and Public Health Agency are reviewing the wider capacity and structure of Tier 3 (community based) alcohol and drug services, including the substitute prescribing scheme – this work should be completed early 2015. The information within this review will take account of service pressures and capacity issues.

Ms Sugden asked the Minister of Health, Social Services and Public Safety whether he has any concerns regarding the impact on service provision by hospitals such as the Causeway Hospital following the announcement by Ballykelly Private Hospital that they are facing staff cuts.
(AQW 37105/11-15)

Mr Wells: The North West Independent Hospital in Ballykelly is one of a number of independent sector healthcare providers with which some Health and Social Care (HSC) Trusts have contracts for the provision of additional elective capacity through non-recurrent waiting list funding.

A decision was taken by the Health and Social Care Board in July 2014 to pause waiting list initiative arrangements pending clarification of the 2014/15 financial position. The Board wrote to independent sector providers on 1st October 2014 to say that pending further clarification of the 2014/15 financial position, no new patients would be transferred to the independent sector and patients who had not yet been given a date for their assessment should be returned to the referring HSC Trust.

I regret that the HSC Board has had to take this measure and I sympathise with the uncertainty it has caused for the management and staff of the North West Independent Hospital; however it is necessary to constrain spending in light of the significant financial pressures which my Department is facing. I met with management of the North West Independent Hospital on 10 October 2014 to discuss these issues at first hand.

I am advised that the HSC Board and its Local Commissioning Groups are continuing to work with the HSC Trusts to address shortfalls in elective capacity within the resources available. This may include increasing capacity at Causeway and other hospitals.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail any communication his Department have had with Ballykelly Private Hospital, with the knowledge that Health Service referrals to the hospital have increased over the last five years, when they are facing staff cuts.
(AQW 37106/11-15)

Mr Wells: The North West Independent Hospital in Ballykelly is one of a number of independent sector healthcare providers with which some Health and Social Care (HSC) Trusts have contracts for the provision of additional elective capacity through non-recurrent waiting list funding.

A decision was taken by the Health and Social Care Board in July 2014 to pause waiting list initiative arrangements pending clarification of the 2014/15 financial position. The Board wrote to independent sector providers on 1st October 2014 to say that pending further clarification of the 2014/15 financial position, no new patients would be transferred to the independent sector and patients who had not yet been given a date for their assessment should be returned to the referring HSC Trust.

I regret that the HSC Board has had to take this measure and I sympathise with the uncertainty it has caused for the management and staff of the North West Independent Hospital; however it is necessary to constrain spending in light of the significant financial pressures which my Department is facing. I met with management of the North West Independent Hospital on 10 October 2014 to discuss these issues at first hand.

I am advised that the HSC Board and its Local Commissioning Groups are continuing to work with the HSC Trusts to address shortfalls in elective capacity within the resources available. This may include increasing capacity at Causeway and other hospitals.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many firefighters are stationed in Donaghadee.
(AQW 37141/11-15)

Mr Wells: There are currently 11 Firefighters stationed at Donaghadee Fire Station, as follows:

Retained Firefighters

- Watch Commander 1
- Crew Commander 2
- Firefighters 8
- Total 11

Mr Hussey asked the Minister of Health, Social Services and Public Safety what assessment has been made of the money saving potential of employing translators on fixed term contracts in Health and Social Care Trust areas which have a high demand for translation services.
(AQW 37146/11-15)

Mr Wells: The current arrangements for interpreting services allow for the flexible deployment of translators on an as-needs basis to meet demand. A significant number of interpreting staff would have to be directly employed to ensure appropriate coverage for the wide range of languages, the large number of appointments and the wide geographical spread of those appointments.

The Health and Social Care Board's 'Review of Future Arrangements for Language Interpreting and Translation Services' recommended a rebalancing of face to face and telephone interpreting to ensure a more cost effective and flexible service. The key recommendations of the Review are in the process of being implemented.

Mr Ross asked the Minister of Health, Social Services and Public Safety whether local patients will be part of the care data information scheme, or a similar scheme; and what safeguards are in place to ensure that information is not misused and that patients are made aware of how to opt out from such a scheme.
(AQW 37151/11-15)

Mr Wells: Care.data is a data collection programme being run by the NHS in England. Northern Ireland is not part of this and there are currently no plans to introduce a similar initiative here.

Mr Ross asked the Minister of Health, Social Services and Public Safety to detail the latest figures on missed hospital appointments and the associated costs.
(AQW 37152/11-15)

Mr Wells: Information on the number of consultant-led appointments missed by the patient (Did Not Attend) is published on an annual basis in the Northern Ireland Hospital Statistics: Outpatient Activity publication (Table 1a) and is available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/outpatients.htm

The number of appointments missed by the patient (DNAs) during 2013/14 was 155,760.

The cost of a hospital appointment being missed is not available and can only be provided at disproportionate cost.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, following his receipt of over 24,500 signatures in support of the Equal Access to Cancer Drugs campaign led by Cancer Focus NI, when local patients will receive access to cancer drugs on a par with patients in England and Scotland.
(AQW 37153/11-15)

Mr Wells: The Health and Social Care Board (HSCB) has responsibility for commissioning specialist drugs, including cancer drugs in Northern Ireland.

Both the HSC in Northern Ireland and the NHS in England and Wales are guided by the National Institute for Health and Care Excellence (NICE) in making the difficult decisions about which of the many new drugs should be made routinely available to patients. All NICE approved cancer drugs that are available in England are either recurrently funded or available via a cost per case mechanism in Northern Ireland.

The Individual Funding Request (IFR) process governs access to unapproved specialist drugs in Northern Ireland. My officials are currently carrying out an evaluation of the IFR process. The evaluation, which is underway, will take full account of the

measures that other devolved administrations are considering in their approach towards access to specialist drugs and will be completed by the end of the year.

Mr Beggs asked the Minister of Health, Social Services and Public Safety Minister to detail the proportion of the population, broken down by Health and Social Care Trust, who have had an amputation as a result of complications related to diabetes. **(AQW 37211/11-15)**

Mr Wells: The number of people per 100,000 of the population by Health and Social Care Trust of residence who have been admitted to hospital for an amputation and who also have diabetes is detailed in the table below for each of the last three years.

HSC Trust	2011/12	2012/13	2013/14
Belfast	16	14	18
Northern	16	19	22
South Eastern	11	9	11
Southern	10	10	10
Western	8	8	7
Northern Ireland	12	12	14

Source: Hospital Inpatient System; NISRA Mid-Year Population Estimates

Notes

HSC Trust refers to the Trust of residence, i.e. Local Commissioning Group.

Diabetes has been identified using International Classification of Disease (revision 10) (ICD-10) codes E10 – E14, searched for in any of seventeen diagnosis fields.

Amputations are defined using the following ICD-10 codes searched for in any of twelve procedure fields.

X07 – Amputation of arm

X08 – Amputation of hand

X09 – Amputation of leg

X10 – Amputation of foot

X11 – Amputation of toe

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the proportion of the population, broken down by Health Care and Social Care Trust, that have been diagnosed with diabetes. **(AQW 37212/11-15)**

Mr Wells: Under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP-registered patients aged 17 and over diagnosed with diabetes mellitus is recorded. The number of patients on the QOF diabetes register in each Trust area is shown in table 1 below.

Please note that the figures are based on the GP practices located within each Trust area according to practice post code, and that patients may not reside in the same trust area.

Table 1: Patients on Diabetes Mellitus register in GP practices located in Trust area 2013/14

Trust	Diabetes Register Size 1	Patients aged 17+2	% patients on diabetes register of all patients aged 17+
Belfast	18,307	345,511	5.30%
South Eastern	14,059	250,999	5.60%
Northern	20,838	357,162	5.83%
Southern	15,263	305,483	5.00%
Western	13,400	252,420	5.31%
Northern Ireland:	81,867	1,511,575	5.42%

1 Data relates to patients on register at March 31 2014

2 In line with the QOF system for calculations and payments, list sizes are taken from January 1 2014

Source: Quality and Outcomes Framework Data - PCAS

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the prevalence of different types of cancers amongst people aged (i) 0 to 16; and (ii) 16 to 24, in each of the last three years.
(AQW 37215/11-15)

Mr Wells: Latest information on the prevalence of cancer amongst people aged (i) 0 to 16; and (ii) 16 to 24, by cancer type and year has been provided by the Northern Ireland Cancer Registry and is detailed in the tables below:

Table 1. Cancer prevalence amongst people aged 0 to 16 (2010 – 2012)

Most Common Cancers	2010	2011	2012
Leukaemia	143	147	138
Brain and other CNS	63	61	62
Lymphoma	43	37	36
Kidney	30	31	30
Connective & soft tissue	16	17	18
Eye	22	20	18
Liver	8	11	12
Bone	8	13	12
Bladder	7	7	6
All cancers	390	395	406

Source: Northern Ireland Cancer Registry

Table 2. Cancer prevalence amongst people aged 16 to 24 (2010 – 2012)

Most Common Cancers	2010	2011	2012
Leukaemia	106	113	109
Lymphoma	97	90	86
Brain and other CNS	71	71	66
Testis	34	28	27
Malignant melanoma	26	32	25
Bone	29	25	19
Head and Neck	10	13	18
Non-melanoma skin	24	20	18
Kidney	15	16	18
Thyroid	16	18	16
Colorectal	6	8	11
Connective & soft tissue	11	7	6
All cancers	487	481	459

Source: Northern Ireland Cancer Registry

CNS – Central nervous system

Prevalence is similar to a population figure in that it is a snapshot of the total number of survivors in a particular year, and thus many of the people included in the 2010 figure are also in the 2011 and 2012 figures. Prevalence figures change over time due to the addition of new incidence cases, deaths among cancer patients, emigration, people no longer in the age group (e.g. aged 24 in 2011, but 25 in 2012 and thus no longer included), and exclusion of people diagnosed prior to the prevalence duration (in this case 18 years1). This differs from incidence which relates to the number of newly diagnosed cases.

The latest available figures relate to 2012. Incidence figures for 2013 are scheduled to be published by the NICR in March 2015.

1 NI Cancer Registry only has data from 1993 onwards.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety why changes were made to the publication of hospital waiting times to only detail the number of people waiting longer than six months and why the lists do not provide a more detailed breakdown of the length of time people have been waiting.
(AQW 37237/11-15)

Mr Wells: For the purpose of this question, it is assumed that Mr. Flanagan is referring to the waiting times for inpatient treatment. The inpatient waiting times publication provides a breakdown of patients waiting for inpatient treatment using the following time bands: 0-6, >6-13, >13-21, >21-26 and >26 weeks. This information is split by HSC Trust and Specialty.

This publication allows the general public to assess the performance of the DHSSPS, the HSC Board and HSC Trusts in providing timely access to hospital services in Northern Ireland against the current Ministerial waiting time target. Thus time bands are selected to align with the current target, which for 2014/15 states that, from April 2014, at least 80% of inpatients and daycases should be treated within 13 weeks; and no patient waiting longer than 26 weeks for treatment.

The Ministerial waiting time target for 2013/14 stated that, from April 2013, at least 70% of inpatients and daycases are treated within 13 weeks, increasing to 80% by March 2014; and no patient waiting longer than 30 weeks for treatment, decreasing to 26 weeks by March 2014. Hence previous publications split the >26 week time band into >26-30 weeks and >30 weeks.

As inpatient waiting times are collected on a patient level basis, more detailed breakdowns are available on request.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety what preparations are being made for a potential outbreak of the Ebola virus; and for his assessment of the ability of cope with an outbreak.
(AQW 37248/11-15)

Mr Wells: In order to deal with a potential importation of a case of Ebola Virus Disease in Northern Ireland my officials have been liaising frequently with their counterparts across the UK and in the Republic of Ireland.

The Public Health Agency has been coordinating regional planning in conjunction with the Department and Trusts. This planning has included the development of patient care pathways by all Trusts and comprises planning for the management and isolation of suspected cases, accumulation of appropriate Personal Protective Equipment and carrying out staff training.

In addition the Chief Medical Officer has sent four separate letters to Chief Executives of Health and Social Care organisations providing information for all frontline clinical staff who may be treating or admitting patients, all Infection Prevention and Control staff and all GPs and practice staff. The letters include flow charts for use by staff in Emergency Departments and by staff in Primary Care for dealing with patients who present with Ebola-like symptoms.

The Chief Medical Officer has also written to all schools, universities and further education establishments.

Advice for UK border staff has been circulated to all UK ports. In Northern Ireland the Public Health Agency, through its Health Protection Service, has communicated with colleagues covering all sea ports and airports in Northern Ireland informing them of the current situation in relation to the outbreak and directing them to sources of further information, including the actions to be taken should a sick traveller, potentially with an infectious disease, come to their attention.

In order to reduce the risk of international spread of the disease, and in line with World Health Organisation guidance, the affected countries have introduced exit screening at airports to ensure that individuals who are unwell do not board flights.

Mrs McKevitt asked the Minister of Health, Social Services and Public Safety whether he has any plans to develop a new hospital in Newry.
(AQO 6812/11-15)

Mr Wells: There are no immediate plans to develop a new hospital in Newry. The first priority for the Southern Trust is the redevelopment of the Craigavon Area Hospital site. The department is in early discussions with the Trust about how this might be taken forward. A new hospital in Newry would come after that but realistically, given budget pressures, would be some time away.

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety how he is encouraging and enhancing research and development in healthcare.
(AQO 6813/11-15)

Mr Wells: My Department is committed to the development of research into health in Northern Ireland.

Over the last 10 years, DHSSPS have invested approximately 120 million pounds into Research and Development in Northern Ireland. This funds high quality research in Health and Social Care which benefits the people of Northern Ireland not only in terms of health and wellbeing but also in terms of the economic prosperity that it brings.

On the 29th of September I published for consultation a new draft Strategy for Health and Social Care Research. This is an important piece of work, as a successful strategy will propel NI to the forefront of Research and Development in Health and Social Care settings throughout the world.

Mr Clarke asked the Minister of Health, Social Services and Public Safety to outline any plans he has to renegotiate contracts for consultants.
(AQO 6814/11-15)

Mr Wells: Northern Ireland is a partner with England in negotiations with the British Medical Association to deliver joint proposals for a new consultant contract for England and Northern Ireland.

The intention, through the ongoing negotiations which commenced in October 2013, is to amend the current 2004 contract to facilitate the future provision of seven-day services for the benefit of patients. This will require removing the current contractual obstacles to the introduction of seven-day services, while at the same time providing sufficient safeguards for doctors to support safe working. Negotiations will also address the introduction of a revised pay structure, including matters such as pay progression and the recognition of excellence, as well as appropriate transitional protection arrangements. It is intended that these new arrangements will be delivered within the existing funding envelope.

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety to outline the departmental funding given to community groups to raise awareness of drug abuse.
(AQO 6815/11-15)

Mr Wells: In 2014/15, the Public Health Agency invested just over £1.5 million in community and voluntary sector services focused on substance misuse awareness-raising with the public, local communities, and professionals and key workers.

It should be noted that this funding covers both alcohol and drug misuse and as such it is not possible to give a specific breakdown concerning solely drug misuse. Furthermore, other services such as treatment and support also include an element of drug awareness but this cannot be dissagregated and has not been included.

Mr Dunne asked the Minister of Health, Social Services and Public Safety, in light of the Regulation and Quality Improvement Authority's ongoing report on Emergency Departments, to outline the impact a refusal of additional funding via the October monitoring round would have on local Emergency Departments.
(AQO 6816/11-15)

Mr Wells: Additional investment is required to reduce waiting times in emergency departments; introduce 7-day working and extended hours; develop new models of acute medicine; enhance emergency department capacity; manage increased demand during the winter months; and, address pressures within 24/7 acute, community and primary care working.

The unscheduled care Task Group chaired jointly by the Chief Medical Officer and Chief Nursing Officer to oversee and coordinate the implementation of the recommendations of the RQIA review has been given the clear aim of eliminating avoidable twelve-hour waiting time breaches from this winter onwards and, over the next eighteen months, of making significant progress towards achieving the four-hour waiting time standard.

Emergency departments are under pressure throughout the year but the pressure becomes more acute during the winter. Additional investment would enable the HSC to make progress on reducing waiting times and managing the increased demand on emergency departments over the winter months.

Mr McQuillan asked the Minister of Health, Social Services and Public Safety to outline the action he is taking to improve the care for people with diabetes.
(AQO 6817/11-15)

Mr Wells: The increasing number of people diagnosed with diabetes presents a challenge to Health and Social Care to ensure that services are in place that support high quality treatment and care for those living with the condition, as well as promoting measures to help prevent people developing Type 2 diabetes.

In recognition of this, my Department has recently completed a review of the 2003 CREST/Diabetes UK Joint Framework report on Diabetes Care in Northern Ireland in the 21st Century.

The review which, was led by the Chief Medical Officer, published its report in June this year. Whilst it highlighted that there had been broad progress in the treatment and care of people living with diabetes, a key recommendation was that a Strategic Direction and associated Action Plan for diabetes should be developed which would encompass the findings and recommendations identified by the review team. A Steering Group has been established to take this forward.

Once developed, the draft Strategic Direction and Action Plan will be subject to public consultation and will provide the basis for how services for people with diabetes are commissioned and delivered to support quality outcomes.

Work to improve treatment and care for people with diabetes is also been taken forward by the 17 Integrated Care Partnerships working across Northern Ireland. ICPs have been reviewing diabetes care pathways in their respective areas and have identified opportunities to enhance service provision and improve outcomes for people with diabetes.

Mr Agnew asked the Minister of Health, Social Services and Public Safety what action is being taken to remedy the situation whereby young people in Beechcroft Child and Mental Health Services inpatient unit are being denied access to education within the unit if they are enrolled in further education.
(AQO 6818/11-15)

Mr Wells: It is not the case that young people admitted to Beechcroft are denied access to further education. The Belfast Health and Social Care Trust has an agreement in place with the Department for Employment and Learning for a link worker to attend Beechcroft.

If a young person is admitted to Beechcroft and they have an education placement in a Further Education college, the health staff work in partnership with the college and the link worker to put an education plan in place for their admission. The plan will depend on the geographical location of the college and the subject that is being undertaken. Close links between health and education staff are maintained during the admission period.

Where the duration of the admission is lengthy due to a severe illness, then the education plan is reviewed as necessary, as the young person may not be well enough to undertake the level of education at that specific time.

Mr A Maginness asked the Minister of Health, Social Services and Public Safety what assurance he can provide of the long-term retention of services at the Mater Hospital.
(AQO 6819/11-15)

Mr Wells: The Mater Hospital continues to provide a wide range of services to the people of North Belfast and beyond. Following the principles of Transforming your care, the Belfast Health and Social Care Trust's document New Directions has set out a model of home based and community based service delivery, supported by timely access to acute and specialist services where necessary.

Work on these plans is ongoing and many changes have already been successfully implemented to deliver the best possible care to patients. The Belfast Trust is now planning to embark on the development of New Directions 2. This will also have a bearing on the future configuration of services in Belfast.

However, I fully expect the Mater Hospital to continue its role in the provision of safe resilient and sustainable services in the future.

Department of Justice

Lord Morrow asked the Minister of Justice how many (i) remand; and (ii) sentenced prisoners in each prison are the subject of a Non-Molestation Order.
(AQW 36646/11-15)

Mr Ford (The Minister of Justice): Information about prisoners subject to Non-Molestation Orders is not recorded by NIPS. Orders are made by the courts and enforced by the Police Service of Northern Ireland.

Lord Morrow asked the Minister of Justice (i) for a breakdown of costs of all court matters, including the trials which collapsed or where aborted, in the case of Darius Porcikas for the offences committed on 13 July 2011 and heard at Craigavon Crown Court, shown by (a) legal aid including law firm, junior and senior counsel; (b) prosecution; (c) interpreter services, and (d) any other relevant expenditure; or (ii) for an estimated total cost if final figures are not yet known.
(AQW 36683/11-15)

Mr Ford: The estimated costs to date for the case of Darius Porcikas are given in the table below.

Cost Type	Estimated Cost
Legal Aid [1]	£56,698
Prosecution [2]	£34,304
Interpreter services [3]	£38,337
Other relevant expenditure [4]	£35,372
Total	**£164,711**

1 Fees in respect of the Magistrates' Court proceedings have been determined in accordance with the Magistrates' Court and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009. The fees in respect of the Crown Court proceedings have been determined and/or estimated in accordance with the Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2011.

2 In the absence of detailed records of time spent on individual cases it is not possible to produce precise costs for a particular case. Some costs are identifiable however, for example expenses paid and fees paid to prosecuting counsel.

3 PSNI interpreter and translation costs are not available.

4 Other relevant expenditure includes witness expenses, jury expenses and court costs

Mr McQuillan asked the Minister of Justice to detail the cost of (i) projects; (ii) members' allowances; and (iii) management of each Policing and Community Safety Partnership, for each year since their formation.
(AQW 36759/11-15)

Mr Ford: Policing and Community Safety Partnerships came into effect on 1 April 2012 and are co-funded by the Department of Justice and the Northern Ireland Policing Board. Local councils may also, at their own discretion, make a contribution towards PCSP costs.

Payments made jointly by the Department of Justice and the Northern Ireland Policing Board to each PCSP in respect of operational expenditure ("projects"), members' expenses ("allowances") and salaries and administration ("management") since their establishment are set out below.

	PCSP Payments 2012/2013		
PCSP	**Management**	**Projects**	**Members' Expenses**
Antrim	107,569.89	59,991.84	11,346.99
Ards	85,100.00	94,948.50	11,340.81
Armagh	99,714.00	72,442.00	11,099.83
Ballymena	131,592.13	50,254.05	12,660.00
Ballymoney	79,769.00	53,879.00	17,635.99
Banbridge	99,918.52	59,455.65	13,373.73
Belfast	275,825.00	489,950.31	43,161.71
Carrickfergus	85,694.59	65,415.61	14,045.22
Castlereagh	62,478.10	92,671.77	12,940.80
Coleraine	93,603.00	89,963.00	16,896.71
Cookstown	89,891.02	58,259.55	7,680.00
Craigavon	75,710.00	129,062.00	20,066.10
Derry	62,518.00	191,400.00	12,180.00
Down	130,819.75	47,563.99	12,726.06
Dungannon	93,402.11	64,847.24	14,262.62
Fermanagh	86,020.00	79,833.00	13,130.34
Larne	91,020.09	46,797.80	9,236.10
Limavady	68,885.00	89,614.11	13,910.40
Lisburn	150,610.39	82,805.00	13,355.40
Magherafelt	61,205.24	67,269.99	7,826.78
Moyle	97,883.15	34,905.00	9,669.56
Newry	107,051.98	104,504.53	12,332.32
Newtownabbey	64,732.67	124,408.70	16,203.08
North Down	64,587.00	113,310.39	10,260.00
Omagh	80,483.38	68,953.14	14,317.94
Strabane	78,514.33	53,462.57	15,606.74

	PCSP Payments 2013/2014		
PCSP	**Management**	**Projects**	**Members' Expenses**
Antrim	71,500.00	87,313.50	13,466.64
Ards	84,177.56	88,520.10	10,743.80
Armagh	99,012.00	69,846.70	8,970.80
Ballymena	68,675.00	105,387.17	12,720.00
Ballymoney	64,723.00	70,141.09	13,380.00
Banbridge	95,588.00	61,166.01	12,994.27
Belfast	275,000.00	500,000.00	40,286.08

PCSP	PCSP Payments 2013/2014		
	Management	Projects	Members' Expenses
Carrickfergus	92,050.84	59,180.75	12,460.72
Castlereagh	67,916.21	77,274.31	16,841.43
Coleraine	85,061.38	97,866.26	14,222.40
Cookstown	87,731.87	52,272.89	11,100.00
Craigavon	81,439.00	121,489.50	18,680.89
Derry	60,368.00	192,800.00	15,120.00
Down	123,443.16	56,440.84	10,852.64
Dungannon	95,783.63	66,329.00	13,562.29
Fermanagh	84,095.00	83,500.00	19,094.73
Larne	88,607.46	-	15,384.27
Limavady	68,963.74	88,040.00	12,267.58
Lisburn	149,303.52	87,341.61	14,293.34
Magherafelt	59,092.89	68,779.00	5,629.13
Moyle	97,078.00	36,214.00	7,681.67
Newry	105,449.78	105,253.34	16,282.35
Newtownabbey	45,087.88	134,004.83	17,787.22
North Down	66,370.99	85,391.79	8,820.00
Omagh	84,935.00	74,099.52	10,713.10
Strabane	73,544.85	76,199.03	18,149.17

Lord Morrow asked the Minister of Justice whether he will broaden the variety of banned substances currently tested for within Prison Service facilities, particularly in relation to prescription drugs; and whether he will liaise with the Minister of Health, Social Services and Public Safety in relation to this issue.
(AQW 36770/11-15)

Mr Ford: A joint Northern Ireland Prison Service/South Eastern Health and Social Care Trust review of the drugs strategy is currently being carried out. The range of substances tested for will be considered as part of this review.

Mrs Dobson asked the Minister of Justice to detail the number of legal aid personal injury claims which have been (i) submitted; (ii) approved; (iii) refused; (iv) appealed; (v) approved upon appeal; and (vi) refused at appeal, in each month of the last two years.
(AQW 36834/11-15)

Mr Ford: I am advised that the Legal Services Commission does not specifically record applications for personal injury claims. However, it records applications for Money Damages cases, the majority of which are personal injury claims.

The Commission is able to provide details on the following for the last two financial years 2012/2013 and 2013/2014 and this is detailed in Annex 1 to address (i), (ii) and (iii) in the question asked:

- Volumes of applications received by month in the year;
- Volumes of certificates granted* by month in the year; and
- Volumes of applications refused by month in the year.

*Certificates granted relate to applications approved.

The applications received in a month do not necessarily relate to the certificates granted or applications refused in the same month.

There may be minor variances between this information and that already provided. This reflects the assessment process and data refresh to provide this information by month.

I am advised that information on the number of applications which were refused, appealed and subsequently approved or refused is not readily available and could only be obtained at disproportionate cost.

Annex 1

1. **2012/2013**

a. Applications received by month.

Month	Volume of Applications
April	216
May	230
June	95
July	136
August	195
September	214
October	218
November	195
December	114
January	308
February	332
March	173
Total	**2,426**

b. Certificates granted by month

Month	Volume of Certificates Granted
April	138
May	282
June	125
July	222
August	294
September	119
October	123
November	110
December	53
January	127
February	88
March	125
Total	**1,806**

c. Applications refused by month

Month	Volume of Applications refused
April	131
May	135
June	123
July	104
August	143
September	116
October	162

Month	Volume of Applications refused
November	157
December	76
January	126
February	199
March	86
Total	**1,558**

2. **2013/2014**

a. Applications received by month

Month	Volume of Applications
April	177
May	131
June	260
July	186
August	236
September	130
October	228
November	197
December	121
January	111
February	105
March	86
Total	**1,968**

b. Certificates granted by month

Month	Volume of Certificates Granted
April	108
May	142
June	89
July	101
August	157
September	109
October	126
November	135
December	88
January	114
February	114
March	128
Total	**1,411**

c. Applications refused by month

Month	Volume of Applications refused
April	72

Month	Volume of Applications refused
May	95
June	84
July	114
August	111
September	91
October	98
November	98
December	77
January	100
February	97
March	69
Total	**1,106**

Mr Lyttle asked the Minister of Justice what progress they have made on the delivery of the Together Building a United Community Strategy headline actions of (i) a 10 year programme to reduce and remove all interface barriers by 2023; and (ii) an interface barrier support package, published in May 2013.
(AQW 36859/11-15)

Mr Ford: There has been continued progress in ensuring that there is an appropriate level of support and engagement within relevant government departments, within key statutory agencies, and in the police and other agencies responsible for safety and security. In addition engagement through partnership programmes, such as the International Fund for Ireland (IFI) and Belfast City Council peace walls programmes, has ensured that local approaches are being developed involving community representatives and local residents. The overall number of DOJ structures has been reduced from 59 to 53. Engagement has been initiated on 40 of the DOJ's 53 structures.

IFI has approved funding for 8 specific community engagement projects, covering a number of the structures. Specific action plans have been developed covering 24 structures. While committed to the Programme for Government commitment 68 the Department is working with OFMDFM on the wider proposals under the Together: Building a United Community Strategy, including seeking assurances on cross Executive commitment and on resources. The realisation of the benefits defined within the Interface Barrier Support Package will be dependent on securing the resources required to deliver the overall target.

The University of Ulster and DOJ commenced a 12 month knowledge exchange partnership in August to support and develop policy and practice enabling the removal of peace walls. The University team will act as a 'critical friend', as formative evaluators of the current policy implementation process, and as a provider of evidence-based research to my Department. Part of this work will see a rerun of the University of Ulster Attitudes to Peace Wall Research Report of June 2012, including two new areas outside Belfast - Portadown and Lurgan.

In terms of success over the period: a section of security fencing was removed from North City Business Park in New Lodge in April and from Moyard Crescent in May; and the upper vehicle and pedestrian gates at Springmartin Road were removed in August. A number of further interventions are planned, subject to the outcome of positive community consultation.

Lord Morrow asked the Minister of Justice to provide copies of all correspondence between his Department and the Police Federation of Northern Ireland in relation to police pensions.
(AQW 36864/11-15)

Mr Ford: Copies of all correspondence between my Department and the Police Federation of Northern Ireland in relation to the new police pension scheme have been placed in the Assembly Library. Names of junior officials have been redacted under Section 38 of the Freedom of Information Act 2000.

Ms Sugden asked the Minister of Justice to detail the total number of deaths under Coroner's investigation in the Northern Health and Social Care Trust, in each of the last five years.
(AQW 36898/11-15)

Mr Ford: In the five year period to 30 September 2014, 1,043 deaths were reported to the Coroner where the death occurred within the area of the Northern Health and Social Care Trust. A breakdown is provided below:

Period	Number of Deaths Reported
1.10.09 - 30.09.10	184

Period	Number of Deaths Reported
1.10.10 - 30.09.11	152
1.10.11 - 30.09.12	211
1.10.12 - 30.09.13	248
1.10.13 - 30.09.14	248
Total deaths Reported	**1,043**

Ms Sugden asked the Minister of Justice, of the deaths under Coroner's investigation within the Northern Health and Social Care Trust in the last five years, how many have been referred by the Office of the Attorney General for Northern Ireland.
(AQW 36900/11-15)

Mr Ford: In the five year period up to 30 September 2014, the Office of the Attorney General for Northern Ireland did not refer any cases to the Coroner relating to deaths occurring within the Northern Health and Social Care Trust.

Mr Campbell asked the Minister of Justice how many people who were convicted of not owning a valid tv licence, in each of the last three years, have subsequently been convicted of the same offence.
(AQW 36914/11-15)

Mr Ford: The number of individuals convicted of not owning a valid television licence, in the calendar years 2011 to 2013, who were subsequently reconvicted of the same offence, is outlined in the table below:

Convictions for not owning a television licence: 2011 - 2013

Year	Number of defendants convicted1	Number of individuals convicted[1]	Number of individuals subsequently reconvicted[2]
2011	3,322	3,261	610
2012	4,350	4,261	683
2013	3,545	3,474	339

Source: Integrated Court Operations System (ICOS)

1 Official statistics on convictions are reported on a defendant rather than individual basis. A defendant relates to a participant unique to a case i.e. if an individual is convicted in three separate cases, this is counted as three defendants convicted. For reconvictions, data are reported on the basis of the individual.

2 Relates to convictions up to 30/09/14. Caution should be exercised when comparing figures between years as the period from initial conviction to the end of the period analysed for subsequent reconvictions (30/09/14) differs for each year.

Lord Morrow asked the Minister of Justice how many Non-Molestation Orders have been served on remand and sentenced prisoners in each of the last three calendar years, broken down by prison.
(AQW 36919/11-15)

Mr Ford: Information about prisoners subject to Non-Molestation Orders is not recorded by NIPS. Orders are made by the courts and enforced by the Police Service of Northern Ireland.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36198/11-15, whether he will (i) obtain this information directly from G4S; (ii) whether G4S are required by contract to report this information to Northern Ireland Courts and Tribunal Service; (iii) how often the Northern Ireland Court Service carry out audits or monitoring; and (iv) what is the nature of the audit.
(AQW 36920/11-15)

Mr Ford: G4S Secure Solutions (UK) Limited has informed the Northern Ireland Courts and Tribunals Service that they received no reports in relation to faulty palm scanners. Seven reports were made directly to G4S between 22 January 2014 and 2 September 2014 about broadband connectivity issues and one system software failure. While G4S is not required by contract to report this level of detail to NICTS, there is a requirement to report issues affecting service delivery.

NICTS conducts annual security and health and safety audits and supplements these with incident reporting and investigations when required. NICTS has a independent Security Advisor and a Health and Safety Advisor.

Mr Spratt asked the Minister of Justice whether he, or his officials, have had any discussions on the appointment of an adviser on police pensions and the new public service pension regulations for police officers.
(AQW 36935/11-15)

Mr Ford: The appointment of an advisor on police pensions and the new public service pension regulations for police officers is a matter for the Northern Ireland Policing Board to consider as employer and scheme manager. In June 2012, the Board submitted a business case to my Department seeking permission to employ a pension consultant. On 14 August 2012, the Board wrote to my Department to advise that the business case for advice on police pensions would not be processed further.

Mr Spratt asked the Minister of Justice whether he, or his officials, have had any discussions with retired or retiring members or officials of the Police Federation on working for the Department on police pensions and the new public service pension regulations for police officers.
(AQW 36937/11-15)

Mr Ford: My Department has not had any such discussions.

Mr Copeland asked the Minister of Justice to detail the range of budgetary pressures faced by his Department which (i) he has identified as truly inescapable; and (ii) officials from the Department of Finance and Personnel have indicated as being truly inescapable.
(AQW 36948/11-15)

Mr Ford: The Department's October monitoring bid to the Department of Finance and Personnel (DFP) is broken down as follows:

- £19.7m for legal aid – i.e. the Department's June monitoring bid that was not funded;
- £10.5m to reduce the most severe impact of cuts on PSNI;
- £1.9m to reduce the most severe impact of cuts on the remainder of the Department; and
- given the potential for additional in-year cuts of 1.6%, equating to £17.4m, the Department also highlighted that if these cuts were made, it would bid for additional funding to offset the severe impact of the cuts.

The Department is not in a positon to comment on the DFP's assessment of the bids.

As highlighted in the Finance Minister's Statement to the Assembly on 13 October 2014, the Department of Justice has been allocated an additional £29.0m for PSNI and legal aid pressures.

Mr B McCrea asked the Minister of Justice why his Department's capital reduced requirements for 2014-15 have totalled £10 million.
(AQW 36954/11-15)

Mr Ford: During the 2012-13 January monitoring round, the Department of Justice received funding of £10m in relation to the NI Prison Service staff exit scheme. In return, given known easements at that time, the Department agreed to surrender capital in the 2014-15 June monitoring round.

Mr Easton asked the Minister of Justice to outline the operating rules and regulations that govern private car parking operators based in England clamping vehicles locally.
(AQW 36983/11-15)

Mr Ford: My responsibility for vehicle immobilisation is limited to ensuring those operators who carry out vehicle immobilisation on private land are properly licensed by the Security Industry Authority (SIA). All these vehicle immobilisation operators must abide by conditions set by the SIA. A copy of these conditions can be found at http://www.sia.homeoffice.gov.uk/Pages/licensing-conditions.aspx

Lord Morrow asked the Minister of Justice, pursuant to AQW 36337/11-15, to provide the name of the stated third party laboratory/company to whom the Scottish Prison Service sub-contracted drugs testing.
(AQW 37003/11-15)

Mr Ford: The contractor is Synergy Health Laboratory Services.

Mr Clarke asked the Minister of Justice whether he has any plans to extend the provision of the Police Widow's Pension Scheme to pre-1988 Royal Ulster Constabulary Pension Scheme.
(AQW 37110/11-15)

Mr Ford: I remain keen to give effect to Section 30 of the Public Service Pensions Act (Northern Ireland) 2014, which applies to widows who remarried on or after 1 January 1989. My officials are working to urgently resolve some outstanding matters, including eligibility and affordability, and are considering if it is possible to extend Section 30 to those who remarried prior to 1 January 1989. I hope to address all outstanding matters as soon as possible.

Mr Campbell asked the Minister of Justice for an estimate of the total cost of implementing the proposals needed in the absence of the full implementation of the work of the National Crime Agency.
(AQW 37137/11-15)

Mr Ford: It would not be possible to provide an accurate estimate without a major exercise. The costs, however, would include the establishment of a civil recovery service for devolved cases. These would be significant. In addition there is already an impact on police resources in that the PSNI are undertaking work which NCA officers are not empowered to do.

Additional resources are simply not available.

Mr Campbell asked the Minister of Justice, pursuant to AQW 36566/11-15, what was the total cost to the public purse for the payment and settlement of the claims listed in each year.
(AQW 37140/11-15)

Mr Ford: The total cost of the compensation claims paid to prisoners in each of the last three years is listed in the table below:

Financial Year	Total Compensation Paid
2012/2013	£36,215
2013/2014	£63,190.25
01/04/14 – 30/09/14	£25,750

Mr Hussey asked the Minister of Justice how much has been spent on translators in each (i) police; and (ii) court district in each of the last three years.
(AQW 37143/11-15)

Mr Ford: The the cost of interpreter and document translation services for the last three years is provided in the tables below:

(i) The cost to the Police Service of Northern Ireland (PSNI) by police district:

Police District	2011/12 £	2012/13 £	2013/14 £
A District	18,562	18,980	21,624
B District	65,489	56,986	79,608
C District	30,276	18,845	25,777
D District	55,748	61,053	60,772
E District	159,229	191,874	170,981
F District	130,340	149,706	143,764
G District	15,022	29,171	32,071
H District	48,982	54,766	49,007
District Policing Command	83	-	442
Criminal Justice (Historic)	18,136	33,927	64,425
Crime Operations	131,518	110,397	117,300
Ops Support Department	4,864	6,707	5,613
Service Improvement Department	-	-	22,256
Historical Enquiry Team	-	1,240	-
Total	**678,247**	**733,653**	**793,640**

All figures are given to the nearest £1. Totals may not add exactly due to rounding.

(ii) The cost to the Northern Ireland Courts & Tribunals Service (NICTS) by court district:

Court District	2011/12 £	2012/13 £	2013/14 £
Belfast Courts	177,031	200,187	186,777
Division of Antrim	68,185	34,736	61,447
Division of Armagh	108,340	40,681	54,716

Court District	2011/12 £	2012/13 £	2013/14 £
Division of Craigavon	73,282	85,997	77,925
Division of Londonderry	16,718	22,223	21,844
Division of Newtownards	44,323	26,331	23,590
Division of Omagh	135,914	138,973	108,520
Tribunals Unit	1,580	5,343	2,785
Total	**625,373**	**554,470**	**537,603**

All figures are given to the nearest £1. Totals may not add exactly due to rounding.

Mr Hussey asked the Minister of Justice what assessment has been made of the money saving potential of employing translators on fixed term contracts in policing and court districts which have a high demand for translation services.
(AQW 37144/11-15)

Mr Ford: A Business Case was completed to appraise all the potential options for translation services. The option of bringing the services in-house was explored but was rejected as it was deemed too costly and logistically difficult to manage.

Lord Morrow asked the Minister of Justice to provide the (i) cost to date; and (ii) estimated final cost in Legal Aid for the cases of (a) Andrew Richard Stewart; and (b) Jamie Downey broken down by (i) law firm; (ii) junior counsel; (iii) senior counsel; and (iv) any other related costs.
(AQW 37162/11-15)

Mr Ford: To date the cost to legal aid is £960 in respect of representation by Junior Counsel for Jamie Downey at the magistrates' court.

The estimated final cost of legal aid in respect of each defendant is as follows:

- Andrew Richard Stewart - £8330.40
- Jamie Downey - £8404.20

This is broken down as follows:

Andrew Richard Stewart

- Solicitor - £4274.40
- Junior Counsel - £4056.00

Jamie Downey

- Solicitor - £5209.80
- Junior Counsel - £3194.40

Senior counsel were not involved in this case and there are not any known additional costs at this stage.

Mr D McIlveen asked the Minister of Justice what plans he has to resolve the Injury on Duty dispute.
(AQW 37271/11-15)

Mr Ford: The Northern Ireland Policing Board, which has statutory responsibility for administering the Injury on Duty (IOD) scheme, commissioned David Scoffield QC to carry out a review of the scheme. Mr Scoffield recently provided his report to the Board.

My Department is committed to working with the Board and the PSNI to address the issues raised in the Scoffield review and continues to support the Board in fulfilling its statutory duties in relation to the IOD scheme.

Mr Lyttle asked the Minister of Justice what options are available to appeal the sentence awarded in the case against Gheorge Ionas.
(AQW 37332/11-15)

Mr Ford: Currently, referral of a sentence by the Director of Public Prosecutions to the Court of Appeal on the grounds of undue leniency is available for all offences triable only in the Crown Court and for a limited number of hybrid offences, specifically listed in statute, that are tried in the Crown Court.

Hybrid offences are offences that can be tried either in Magistrates Court or the Crown Court. The decision as to where a hybrid offence is prosecuted is for the Public Prosecution Service.

Offences under the Gangmasters (Licensing) Act 2004 are not currently included in the list of hybrid offences that can be referred to the Court of Appeal. As you may be aware, a review of the unduly lenient provisions is underway. Any proposals for change arising out of the review will be subject to public consultation, following Justice Committee consideration.

Department for Regional Development

Mr Allister asked the Minister for Regional Development what practical progress has been made in bringing assistance and resolution to home owners affected by unfinished roads and developments because the developer has gone bankrupt.
(AQW 35614/11-15)

Mr Kennedy (The Minister for Regional Development): My Department has continued to be of assistance to home owners by maintaining progress on the completion and adoption of roads and sewers in new housing developments.

In the 2013/14 financial year, almost 63 kms of new housing development roads and associated sewers have been adopted into the public road network. This included the adoption of roads and sewers on 325 backlog developments where completion had been delayed.

When appropriate, enforcement action was taken and bond securities were called upon to allow my Department to appoint contractors to complete street works where developers had gone bankrupt.

Ms Sugden asked the Minister for Regional Development to detail the Departments he is cooperating with to assess the need for transport reform in rural areas and to ensure the implementation of proposed improvements to rural public transport facilities.
(AQW 35930/11-15)

Mr Kennedy: My Department is currently working with a number of organisations on a pilot project to trial the feasibility of improved integration of publicly funded passenger transport services in the Dungannon area. The organisations involved include the Department of Education, the Southern Education and Library Board, the Department of the Environment, the Department of Health, Social Services and Public Safety, the Health and Social Care Board, the Southern Health Trust, the Department of Agriculture and Rural Development, Translink, Community Transport and the Federation of Passenger Transport.

The main purpose of the pilot is to identify opportunities to improve public transport options for passengers, particularly in rural areas, through a more flexible approach to the use of all the resources that are available to the different transport providers. The pilot is due to be completed later this year and all of the Departments will be involved in the evaluation and in the appraisal of the options for wider implementation.

In respect of proposed improvements to rural public transport facilities, Translink has advised that plans are in place to provide new accessible platforms at the Bellarena Halt when the Coleraine to Londonderry Phase 2 upgrade works commence. In addition, a contract to improve passenger facilities at Ballymoney Rail Station has been approved and it is planned to commence the off-street bus station at Banbridge next year.

Mr Cree asked the Minister for Regional Development whether local councils will be given the opportunity to procure redundant reservoirs before being sold on the open market.
(AQW 36108/11-15)

Mr Kennedy: NI Water has made a commitment to offer redundant reservoirs to the public sector in the first instance in order to determine whether there is any interest from that sector, prior to advertising them for sale on the open market.

A public sector trawl has now been completed in accordance with the Department of Finance and Personnel's Disposal of Surplus Public Sector Property in Northern Ireland guidance document. Several expressions of interest have been received from local councils as well as other government departments. NI Water will be meeting with interested parties over the next few months with a view to progressing the sale of these reservoirs.

Mr Weir asked the Minister for Regional Development how many (i) churches; (ii) community organisations; and (iii) businesses in North Down have been affected by undercharging of water bills by NI Water.
(AQW 36425/11-15)

Mr Kennedy: The number of accounts in North Down which have been impacted by the addition of retrospective charges to water and sewerage bills between 1 April 2012 and 31 March 2014 is (a) 0 churches; (b) 18 community organisations; and (c) 20 businesses. Inspections on the M1/A4

Mr Flanagan asked the Minister for Regional Development for a breakdown, including dates, of all inspections and works carried out by (i) private contractors; and (ii) TransportNI staff on the section of the M1/A4 managed under the public private partnership scheme, since the road opened
(AQW 36516/11-15)

Mr Kennedy: The M1 from Sprucefield to Dungannon and the A4 from Dungannon to Ballygawley are maintained on behalf of the Department by Amey Lagan Roads Limited and its Operator, Amey Government, under the DBFO Package 2 Contract, approved by my predecessor Conor Murphy MP.

Detailed records of inspections and of the works carried out on the network under the DBFO Contract are not held by the Department but are held by the Operator in a number of different formats including a web-based Routine Maintenance Management System database, spreadsheets and hardcopy sheets.

It would require a significant amount of work by the Operator to collate the information in the form you have requested. If you could advise of a specific aspect in which you have a particular interest, my officials will seek to obtain the information through the Operator.

Mr Kinahan asked the Minister for Regional Development when the Northern Ireland Water investigation into the combined sewer on Dunadry Road and Dunadry Wastewater Pumping Station will be completed; and when its findings will be published.
(AQW 36522/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that its investigation into the combined sewer on Dunadry Road and Dunadry Wastewater Pumping Station was due for completion in August 2014. Additional time has been required to properly review and reassess the medium and long term housing and population forecasts for the Dunadry area, in order to ensure that the optimum solutions are developed.

The draft appraisal study and project business case are expected to be completed before the end of October 2014. The completed appraisal study report is an internal document which will contain commercially sensitive information. I have asked NI Water to send you an executive summary of the report when it becomes available.

The emerging findings from the appraisal study indicate that additional wastewater storage volume is a key requirement at Dunadry Wastewater Pumping Station in order to reduce unsatisfactory intermittent discharges into the Six Mile River. This work will be considered by NIW during its PC15 (2015-2021) capital works prioritisation process.

Mr Campbell asked the Minister for Regional Development what checks are carried out to establish that badges issued under the Blue Badge scheme are not being used when the owner is deceased.
(AQW 36565/11-15)

Mr Kennedy: The Parking Enforcement Unit includes a two-person Blue Badge Enforcement team which carries out checks on Blue Badges displayed in Belfast and other main towns in Northern Ireland on a rotational basis. These checks concentrate on misuse of Blue Badges as opposed to contravention of parking restrictions which are dealt with by conventional Traffic Attendants.

The Blue Badge Enforcement team liaises closely with the Blue Badge Unit regarding all enforcement matters and, in 2013, the Blue Badge enforcement team carried out 841enquiries which resulted in 87 Penalty Charge Notices being issued. The vast majority of these Penalty Charge Notices were as a result of car drivers using their live relatives' Blue Badges, but three related to use of Blue Badges issued to persons who had died during the validity period of a badge.

To date in 2014, the Blue Badge enforcement team has carried out 313 enquiries which have resulted in 40 Penalty Charge Notices being issued. Three of these related to use of badges issued to persons who had died during the validity period of a badge.

Lord Morrow asked the Minister for Regional Development for an update on the future of the A5 road.
(AQW 36584/11-15)

Mr Kennedy: Following on from the successful legal challenge in 2013 to the A5 Western Transport Corridor, four reports have been developed to assess any impacts on all designated environmentally sensitive sites (nine in total) in the vicinity of the scheme and, where appropriate, mitigation measures are proposed.

A public consultation exercise on three of these reports has now been completed, with a total of 13 responses received covering a range of issues. The fourth report, on the Tully Bog Special Area of Conservation, will be published for consultation during October 2014. Together these reports and all consultation responses received will be taken into account as the scheme progresses.

Lord Morrow asked the Minister for Regional Development what preparatory work for the A5 road is currently being carried out.
(AQW 36586/11-15)

Mr Kennedy: Following on from the successful 2013 legal challenge to the A5 Western Transport Corridor, four reports have been developed to assess any impacts on the nine designated environmentally sensitive sites in the vicinity of the scheme and, where appropriate, mitigation measures are proposed.

A public consultation exercise on three of these reports has now been completed, with a total of thirteen responses received covering a range of issues. The fourth report, on the Tully Bog Special Area of Conservation is currently programmed to be published for consultation in the week commencing 13 October 2014. Together, these reports and all consultation responses received will be taken into account as the scheme progresses.

Mr Campbell asked the Minister for Regional Development what progress is being made on the replacement of the existing rail station in Portrush.
(AQW 36674/11-15)

Mr Kennedy: Portrush station is currently planned for implementation in Translink's longer term capital works programme.

Translink's capital plans clearly need to be considered in the context of the current and future budgetary position and competing priorities facing my Department.

Mr Frew asked the Minister for Regional Development to detail the work undertaken to resolve the flooding problem on the Toome Road and Queen Street area of Ballymena.
(AQW 36681/11-15)

Mr Kennedy: Following the flooding on 8 June 2014 in the Toome Road and Queen Street areas of Ballymena, NI Water undertook investigatory work on its own sewer network. This included desilting sections of the sewer serving the adjacent Wakehurst development and a section of the storm sewer has also been re-laid. NI Water has also undertaken a full inspection of the foul and storm systems in the Toome Road and Wakehurst areas to ensure that its systems are operating normally.

Previous drainage investigations carried out by NI Water also identified a number of structural sewer defects in the Toome Road and Queen Street areas. A scheme to rectify these issues including relining some sections of the sewer and replacement of a number of manholes to prevent ingress of water from a local watercourse into the sewer, commenced on 23 June 2014 and is nearing completion. NI Water has advised that this scheme, which is valued at £214,000, is being carried out to address the defects identified in the sewer system.

In addition NI Water, at the request of the interdepartmental Flood Investment and Planning Group, which is led by my Department, is preparing an investigatory report to look at the root causes of the flooding and to develop potential solutions. The report will investigate the operation of NI Water, TransportNI and Rivers Agency assets as well as assessing overland flows. The final report is due to be completed by the end of November 2014, although this date is dependent on flow measurement on the Toome Road site during rainfall events to allow verification of the hydraulic models.

Transport NI has also procured a container which is sited on the Wakehurst Road adjacent to the Toome Road and stocked it with 600 sandbags. The unit is parked securely on Ballymena Council property with Council, Transport NI and a local representative holding keys. Ballymena Council will manage the facility, in conjunction with elected representatives, and inform Transport NI when restocking is required.

Mr B McCrea asked the Minister for Regional Development how much his Department has spent on improving road infrastructure, including resurfacing, in the (i) Newry City; (ii) Derry City; and (iii) Belfast City council areas, since 2013.
(AQW 36750/11-15)

Mr Kennedy: Details of my Department's expenditure on improving the road infrastructure in the areas requested, during the last financial year, are shown in the table below:

Council Area	**Spend 2013/14 (£M)**
Newry & Mourne District Council	7.8
Derry City Council	9.2
Belfast City Council	12.9

It should be noted that whilst the actual spend on a major works scheme may be within one council area, the benefits of such schemes are not confined to the district council area in which they are located.

Mr Weir asked the Minister for Regional Development what plans his Department has to introduce residents' parking schemes in Holywood, particularly in the Strand area.
(AQW 36758/11-15)

Mr Kennedy: The Belfast Metropolitan Transport Plan (BMTP) identifies a number of areas of parking restraint where residents' parking will be considered, including Bangor in the North Down area. Whilst Holywood is not specifically identified within the BMTP in this respect, I can confirm that a number of streets in Holywood have been added to a list of areas for future consideration, once all the areas identified within the BMTP have been addressed.

Legislation governing all Residents' Parking Schemes is currently being finalised with the Departmental Solicitor's Office (DSO) and I can confirm that publication of Notices for the first batch of residents' parking schemes, which are concentrated in Antrim, Londonderry and within Belfast, is currently scheduled for autumn 2014, with the formal consultation stage following as soon as possible thereafter. Subsequently, scheme implementation will be dependent upon the outcome of the consultation process, particularly with regard to whether any objections are received.

These initial schemes, once implemented, are to be monitored for a period to gauge their success or otherwise. If these initial schemes prove to be successful, further consideration will be given to the development of schemes outside Belfast, including in Holywood.

Mr Easton asked the Minister for Regional Development how much Translink has spent on train maintenance in each of the last three financial years.
(AQW 36771/11-15)

Mr Kennedy: The relevant costs are as outlined in the table below:

Financial Year	£
2013/14	9,857,018
2012/13	9,139,847
2011/12	7,510,260

The increase in costs since 2011/2012 reflects the introduction of 20 CAF 4000 train sets. Translink: Bus Maintenance

Mr Easton asked the Minister for Regional Development how much Translink has spent on bus maintenance in each of the last three financial years.
(AQW 36772/11-15)

Mr Kennedy: The relevant costs are as outlined in the table below:

Financial Year	£
2013/14	14,541,740
2012/13	13,354,520
2011/12	13,533,047

Mr Easton asked the Minister for Regional Development to detail Translink's income from private bus hire in each of the last three financial years.
(AQW 36779/11-15)

Mr Kennedy: The relevant income is as outlined in the table below:

Financial Year	£
2013/14	5,202,729
2012/13	5,898,850
2011/12	4,718,252

Mr McGlone asked the Minister for Regional Development, pursuant to AQW 36182/11-15, to detail the total number of surveys carried out; and the total number of meters installed by Enterprise Managed Services Ltd on behalf of NI Water during the 2008-09 contract period.
(AQW 36808/11-15)

Mr Kennedy: During the 2008/2009 contract period Enterprise Managed Services Ltd carried out 32,997 surveys and installed 12,438 meters on behalf of NI Water.

Mr Dunne asked the Minister for Regional Development for an update on the sewage improvement works at Kinnegar, Holywood.
(AQW 36809/11-15)

Mr Kennedy: Northern Ireland Water has informed me that the first phase of the construction contract for sewerage improvement works at Kinnegar has been awarded to Geda Construction Ltd. This project will divert the combined sewer overflow discharges away from the lagoons adjacent to the Kinnegar Wastewater Treatment Works. Construction is programmed to start in October 2014 and take approximately 15 months to complete.

The second phase of the project will focus on addressing problems at the lagoons. The next step will be to complete a study to determine the best remediation method followed by the implementation of appropriate remedial work. Modifications have already been carried out to the outlet of the lagoons that will assist the study. The nature and duration of that remedial work will be determined from the study results. It is presently anticipated that this work will start following completion of the first Phase of construction work.

Mr Dunne asked the Minister for Regional Development for an update and timeframe for the new pumping station in Millisle.
(AQW 36810/11-15)

Mr Kennedy: The site required for the new wastewater pumping station at Millisle is presently split between two owners - Ards Borough Council and the Crown Estate. Before NI Water could acquire the entire site, Ards Borough Council was required to acquire a strip of land from the Crown Estate. This has led to a delay in the project which has been outside NI Water's direct control.

I understand that an agreement has now been reached between the land owners. The project will be brought to construction as soon as possible following the completion of the necessary land acquisitions.

Mr Easton asked the Minister for Regional Development how many Translink buses are currently in need repair.
(AQW 36840/11-15)

Mr Kennedy: The number of buses in need of repair at any one time varies depending on whether it is a minor or a major repair. On average a bus develops a reportable minor repair about every 4 weeks, on any given day this would represent approximately 48 buses with the majority of these being repaired on the same day.

In relation to major repairs as of 10 October 2014, there were 9 buses in the central workshops, 5 for accident repair work and 4 for major mechanical repairs. 57 buses represents approximately 4% of the total fleet of 1,414 at 31 March 2014.

Mr Easton asked the Minister for Regional Development how many Translink buses are currently in storage.
(AQW 36841/11-15)

Mr Kennedy: No operational buses are in storage but Translink currently has 46 buses which have been removed from active service. These vehicles have an average age of 15.5 years and have in most cases been replaced by new fleet received in recent weeks.

Mr Easton asked the Minister for Regional Development how many crimes have been reported on Translink buses, in each of the last two years.
(AQW 36843/11-15)

Mr Kennedy: The number of crimes reported on Translink buses in each of the last two years are as follows:

2012/13	638
2013/14	615

Mr Easton asked the Minister for Regional Development to detail the number of times that Translink buses have been vandalised in each of the last three years.
(AQW 36844/11-15)

Mr Kennedy:

2011-12	320
2012-13	395
2013-14	390

The number of times that Translink buses have been vandalised in each of the last three years is as follows:

Mr Lyttle asked the Minister for Regional Development whether his Department intends to conduct an evaluation assessment on the work of Disability Action Transport Scheme since they assumed the contract of disability transport within the region.
(AQW 36850/11-15)

Mr Kennedy: Disability Action receives grant support from my Department, to provide the Disability Action Transport Scheme in 29 urban areas across Northern Ireland for elderly and disabled people. Disability Action has operational responsibility for the scheme.

The Scheme was introduced on 01 April 2013 and continues to operate well. Disability Action seek the views of their members / users through the mechanism of user forums, the first round of which were located in Belfast, Coleraine, Armagh and Derry City in April and May of this year. Notes of the meetings were circulated to the attendees. The second round has just commenced, starting on 6 October 2014. Disability Action then reports on the views expressed to my officials and these also continue to be positive.

Officials are currently undertaking an evaluation of transport policies initiated by my Department to promote social inclusion. The outcome of the evaluation will help to inform future policy to meet the transport needs of elderly and disabled people across Northern Ireland in a cost effective and efficient way.

At this time it is planned to maintain the interim scheme with Disability Action.

Mr Eastwood asked the Minister for Regional Development to detail any steps taken to develop a new bus station and interchange in Derry as proposed in the Integrated Transport Strategy included in the One Plan.
(AQW 36904/11-15)

Mr Kennedy: As you are aware, my Department is a member of the One Plan Interdepartmental Coordinating Group and is committed to supporting implementation of the One Plan, particularly in matters relating to transport. This is reflected in the significant investment my Department has taken forward to deliver key transport projects in the North West.

While there are no plans to develop a new bus station in Londonderry, you will be aware that in March I announced a new project to develop plans for an integrated transport hub on the site of the Old Waterside Station in Londonderry, subject to securing the necessary funding. The aim of the project would be to enhance access and provide facilities for cyclists including parking, changing and maintenance within a refurbished rail station. This will include directly linking the Waterside Station to the Peace Bridge and existing greenways. In delivering the project, my Department and Translink will explore opportunities to promote integration of services and accessibility between the Waterside Station and the Foyle Street Bus Station.

Mr Easton asked the Minister for Regional Development what is done with flag stones that are removed during footpath resurfacing.
(AQW 36910/11-15)

Mr Kennedy: The majority of footpath resurfacing is carried out by external contractors. The contractors are paid for lifting and disposing of concrete flags at an appropriate location, unless my Department has further use for the flags. In such cases the contractor may be paid to take the flags to storage for future use by my Department's operatives.

My Department's Operations & Maintenance staff carry out only limited amounts of footway resurfacing, with the disposal of flags dealt with, were possible, through a formal contract with suppliers of recycled aggregates. These suppliers then recycle these products back into quality approved aggregates which are sold on the open market. Where this is not possible, the flags are taken to a licensed disposal facility under the terms of a formal waste disposal contract.

Mr Weir asked the Minister for Regional Development to detail the maintenance planned for the Dufferin Avenue park and ride facility in Bangor over the next three years.
(AQW 36946/11-15)

Mr Kennedy: At present my Department maintains the Dufferin Avenue Park & Ride facility in Bangor, however, alternative options for future maintenance and operation of this facility are currently being considered.

Mr McElduff asked the Minister for Regional Development whether his Department will commit to developing adequate sewage treatment for the hamlets of Eskra and Tattyreagh, County Tyrone.
(AQW 36976/11-15)

Mr Kennedy: The provision of first time sewerage services for properties which do not have a connection to the public sewerage network may be requested under Article 154 of the Water and Sewerage Services (Northern Ireland) Order 2006. This enables the owner or occupier of any domestic property where there are buildings to make a requisition notice requesting NI Water to provide a public sewer. In responding to a request, NI Water will provide a costing for the work. The requisitioner will be asked to make a contribution towards the cost of providing the requisitioned sewer. The costs of the work will include, among other things, the reasonable cost of design, labour, plant, materials, supervision and administration. In calculating the cost to be taken by the person making the requisition NI Water will contribute a reasonable cost allowance as set out in its' Scheme of Charges.

NI Water does not currently hold a request for a first time sewerage system in the Eskra area and has no plans to provide a sewer for this hamlet. NI Water is however in receipt of a requisition notice for a first time service facility in the Tattyreagh area and is presently carrying out a technical and economical appraisal study in order to access the costs and viability of providing a sewage system at this location.

Mr McElduff asked the Minister for Regional Development why his Department is not fixing street lights; and when this situation will be resolved.
(AQW 36977/11-15)

Mr Kennedy: My Department is facing a significant budget shortfall. Consequently, I have had to take the difficult decision to suspend the issue of works orders to external contractors for the repair of street lights that fail, unless they pose an electrical or structural hazard.

However, it is not the case that my Department is not fixing any street lights. Until further notice, my Department's Operations and Maintenance staff will strive to deal with as many street lighting defects as possible, but they will not be able to provide the level of service the public would expect in normal circumstances. Priority will be given to larger group outages, followed by smaller groups or individual street lights.

This situation is likely to continue until my Department receives additional funding to allow normal street lighting maintenance arrangements to be restored.

Mr McElduff asked the Minister for Regional Development what steps his Department is taking to ensure that the residents of Garvellagh, County Tyrone have consistent access to a reliable water supply.
(AQW 36978/11-15)

Mr Kennedy: The provision of water on the Garvellagh Road is supplied through a water booster pumping station. NI Water plans to review the efficiency of this pumping station. It has already checked the water network setup and is satisfied that the maximum flow available is being provided to the pumping station.

NI Water also intends to undertake a hydraulic model investigation, including flow/pressure measurement to identify potential options to improve the security of supply. Given the size of the area involved the options report should be available within three months.

Mr Clarke asked the Minister for Regional Development how many people use the bus service on a daily basis on the Mucklerammer Road/Ahoghill Road.
(AQW 37015/11-15)

Mr Kennedy: The 122 Ulsterbus service from Ballymena to Randalstown operates along the Ahoghill Road between Whiteside's Corner and Randalstown, which would include the point where the Mucklerammer Road intersects with the Ahoghill Road. This service operates 5 return journeys Monday-Friday and 4 return journeys on Saturdays.

Patronage for the 122 Ulsterbus service is as follows:

Dates	Total Journeys for all services (254 operating days)	Average Daily Patronage
01/10/2012 - 30/09/2013	12,113	48
01/10/2013 - 30/09/2014	13,004	51

Mr I McCrea asked the Minister for Regional Development to outline any (i) proposed; and (ii) considered junction improvements for the Aughrim Road, Magherafelt.
(AQW 37031/11-15)

Mr Kennedy: Details of the draft Local Transport & Safety Measures programme for the period 2014-2016 were presented to Magherafelt District Council in autumn 2013. It currently includes a proposal to improve the junction of the Aughrim Road with Bellshill Road and Gracefield Road, a crossroads which has restricted visibility. Progression of this scheme will, however, be dependent upon on securing the necessary land and the availability of funding.

Whilst there are other potential improvements that could be made to other junctions on Aughrim Road, no further schemes are being taken forward at this time as there are other schemes that are deemed to be a higher priority for the allocation of the available funding.

Mr Campbell asked the Minister for Regional Development to detail the change in the average numbers of passengers on the Coleraine to Belfast railway in each of the last three years.
(AQW 37068/11-15)

Mr Kennedy: I am pleased to report that passenger growth on the Coleraine to Belfast rail corridor is very positive, with increases in passenger numbers of about a third between 2011/12 and 2013/14. This equates to an increase of over 400,000 passengers journeys in 3 years, taking passenger journeys from over 1.2 million in 2011/12 to over 1.6 million in 2013/14.

The introduction of a new rail timetable targeted at the Coleraine to Belfast service, introduction of new trains and continued investment in infrastructure has clearly helped to generate this growth.

It is important that we continue to invest in our rail infrastructure and ensure rail fares are competitive.

Passenger statistics on rail services between Coleraine and Belfast are as follows:

Financial Year	Passenger Numbers
2011/12	1,258,954
2012/13	1,271,481
2013/14	1,682,230

Mr Allister asked the Minister for Regional Development to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 37070/11-15)

Mr Kennedy: Five staff are currently employed in my Department's Information Office.

The Office provides a round-the-clock public relations and press service, with its wide-ranging areas of activity including media response and media monitoring services, event management, photography, social media and the management/ updating of websites.

In the 2013/14 financial year, the total cost of the staff in the Office amounted to £324,062.

Mr Eastwood asked the Minister for Regional Development, pursuant to AQW 29985/11-15, when the residents' parking scheme in the Bogside area of Derry will be implemented.
(AQW 37272/11-15)

Mr Kennedy: My Department is currently finalising the draft legislation prior to progressing to the public consultation stage. The consultation period will commence in early December for a period of 21 days.

The timeline for the delivery of the scheme will be dependent upon the outcome of the consultation and the nature of any objections. In the absence of significant objections, the scheme should be delivered in spring 2015.

Mr Agnew asked the Minister for Regional Development whether NI Water has a duty under EU Directive 2003/4/EC on public access to environmental information and the 2004 Environmental Information Regulations to disclose the (i) requests made; and (ii) consents given, to discharge into drains; and when the presumption in favour of disclosure of such information would not apply.
(AQW 37357/11-15)

Mr Kennedy: NI Water, as a 'public authority', is legally obliged to provide information about the environment through both an approved publication scheme and in response to requests through the disclosure provisions of the Environmental Information Regulations (EIR) 2004. Regulation 4(4) (a) of the EIR states that public authorities must organise and publish, as a minimum, any information they hold that is listed in Article 7(2) of EU Directive 2003/4/EC which relates to the dissemination of environmental information.

(i) Requests (for consent to discharge) made to NI Water are considered exempt from wider disclosure given the expectation of privacy of correspondence from an applicant.

(ii) NI Water maintains a Trade Effluent Register in line with Article 255 of the Water and Sewerage Services (Northern Ireland) Order 2006. The Order specifies that NI Water will make available copies of consents given (to discharge):

a) to be viewed free of charge in person at the company's offices or

b) to be provided on receipt of a fee (which the company currently waives) per copy to the requestor. NI Water is not obliged to organise or make available:

information that would be excepted from disclosure under EIR Regulation 12 (after application of the public interest test); or

third party personal data, the disclosure of which would breach the Data Protection Act 1998.

Department for Social Development

Mr McElduff asked the Minister for Social Development how his Department can assist local communities in large housing developments, such as Coolnagard in Omagh, to secure appropriate funding and support to build a multi-purpose community centre.
(AQW 36385/11-15)

Mr McCausland (The Minister for Social Development): The provision of facilities such as a multi-purpose community centre would normally fall within the remit of the local Council. However, the Housing Executive may become involved in instances where the site for such a facility is in Housing Executive ownership and the Council makes an approach seeking to have the land transferred to it.

In relation to this particular area, the Housing Executive advise that this appears to be a private estate in which they do not own any land. They advise that the largest Housing Executive site in proximity to Coolnagard is at Dergmoney Heights and

they will be happy to work with any organisation interested in developing it for community use.

Finally, you may be aware that the Northern Ireland Council for Voluntary Action (NICVA) operate a 'grant tracker' which can be used to explore possible funding opportunities. The grant tracker can be accessed via the following link: http://www.grant-tracker.org/

Mrs Dobson asked the Minister for Social Development, pursuant to AQW 34233/11-15, to detail the companies currently engaged in installing double glazing in Northern Ireland Housing Executive properties; and (i) the number and (ii) the value of the contracts which have been awarded, in each of the last three years.
(AQW 36445/11-15)

Mr Storey: The Housing Executive has advised that the contractors who are currently performing "full installation" of double glazing are:-

- PK Murphy Construction Ltd. – Belfast Region
- Dixon Contracts Ltd. – North Region
- Bann Ltd. – South Region

In relation to (i) and (ii) the information is detailed in the table attached.

North Area

Year	No of Schemes	Value
2012/13	16	£7,119,153
2013/14	Nil	Nil
2014/15 to date	8	£2,150,415

South Area

Year	No of Schemes	Value
2012/13	28	£4,084,015
2013/14	Nil	Nil
2014/15 to date	7 on site	£1,671,565

Belfast Area

Year	No of Schemes	Value
2012/13	9	£1,838,622
2013/14	Nil	Nil
2014/15 to date	9	£1,489,000

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, pursuant to AQW 27463/11-15, where it was explained that as a buffer and accountability mechanism the Northern Ireland Housing Executive (NIHE) Director of Transformation would report to the NIHE Chief Executive; and to whom the Director of Transformation now reports to within the NIHE.
(AQW 36679/11-15)

Mr Storey: When Ms Mags Lightbody was appointed as the Director of Transformation in November 2013 her line manager was the then Chief Executive, Dr John McPeake. Upon the retirement of Dr McPeake in March 2014, a selection process was undertaken from within the Housing Executive for an interim Chief Executive. Ms Lightbody was appointed to the role following that selection and now reports directly to the Chairman of the Housing Executive. As the Director of Transformation post is currently vacant Ms Lightbody, as interim Chief Executive, is responsible for leading the Housing Executive's transformation programme.

Mr Dunne asked the Minister for Social Development for an update on the number of properties which are still to benefit from the window replacement scheme in Holywood during the 2014/15 financial year.
(AQW 36743/11-15)

Mr Storey: The Housing Executive has advised that the remaining 13 single glazed properties in Holywood are included in the Bangor 2 double glazing mop-up scheme which is due to start in October 2014.

Mr Girvan asked the Minister for Social Development when a planned maintenance or external maintenance programme was last completed in (i) Old Mossley; and (ii) New Mossley in Newtownabbey; and to detail the programmes that are planned for the future.
(AQW 36787/11-15)

Mr Storey: In relation to (i) and (ii) the Housing Executive has advised of the following schemes in Old Mossley and New Mossley:

Old Mossley Historical Schemes:

External Cyclical Maintenance Schemes (ECMs):

- 2002/2003 – Plantation Avenue /Way, The Crescent, The Glade and Uppertown Drive
- 2004/2005 – Oakview, Parkmount Court /Road
- 2005/2006 – Elderburn, Larch Grove, Rowan Grove

Multi Element Improvement Schemes (MEIs):

- 1999/2000 – Queens Drive /Gardens/Park
- 2002/2003 – Coolehill Park, Queens Avenue, Crescent

Kitchens:

Most had kitchens installed, either in the MEIs above, or in a scheme in 2010.

Old Mossley Planned Schemes:

ECMs:

Old Mossley, Mallusk, Queens Avenue: Programmed Date of Possession:

April 2015.

Double Glazing:

Newtownabbey 2 – Includes: Plantation Avenue: Programmed Date of Possession: November 2014

Newtownabbey 2 – Includes The Glade, Plantation Way, Rowan Grove, Uppertown Drive: Programmed Date of Possession: March /April 2015

Heating:

Most dwellings have had oil or gas heating installed. However a few roomheaters and electrically heated dwellings remain which will be addressed in 2015 scheme.

New Mossley Historical Schemes:

ECM's

- 2006 – Ballycraigy Gardens/Park
- 2006 – Ballyearl Close
- 2009 – Ballyearl Court /Crescent/Rise/Terrace/Way

Kitchens:

- 2007/2011 – Ballycraigy Park
- 2008 – Ballyearl Court /Crescent/Rise/Terrace
- 2011 – Ballycraigy Gardens

MEI

- 2002 – Ballycraigy Way –MEI
- 2004/2006 – Ballyearl Drive/Green

Heating

- 2003/2005 – Various

New Mossley Planned Schemes:

Double Glazing Monkstown/New Mossley: Estimated Start Date: November 2014.

Newtownabbey 2 Boiler Replacement – District wide scheme including some New Mossley properties: on site.

Newtownabbey 2 Boiler Replacement 2015/2016 – District wide scheme including some New Mossley properties: Estimated Start Date: August 2015.

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 the Charity Commission for Northern Ireland has undertaken a review of the voluntary housing sector; and if a review is necessary prior to registering housing associations as charities. **(AQW 36791/11-15)**

Mr Storey: The Charity Commission for Northern Ireland has not undertaken a review of the voluntary housing sector in the context of charity registration. The Commission does not consider that such a review is necessary. Charity registration applications from housing associations are assessed on a case by case basis and, at 30 September 2014, 3 registered housing associations have been registered as charities with the Commission.

Mr D McIlveen asked the Minister for Social Development to detail (i) the number of charities that the Charity Commission for Northern Ireland has brought to court; (ii) the names of the charities; (iii) the cost in legal fees to the Commission, including the time of in-house solicitors; and (iv) the number of times the Attorney General has been called on for advice on such cases, in the last five years.
(AQW 36812/11-15)

Mr Storey: In the last five years:

(i) The Charity Commission for Northern Ireland has not brought any charities to court. However, the Commission did appeal a Charity Tribunal decision, in relation to Bangor Provident Trust Limited, to the High Court.

(ii) Bangor Provident Trust Limited (appeal to High Court, as mentioned at (i)).

(iii) The cost of the Commission's appeal to the High Court against the Charity Tribunal decision in the matter of the Bangor Provident Trust Limited is included with other court costs, including those in respect of Victoria Housing Estates Limited, as these cases were joined. The total cost to date is £50,981.85. The Commission does not use a time recording system therefore information in relation to the time of in-house solicitors is not held.

(iv) The longstanding convention is that, save in exceptional circumstances, the Attorney General's advice is not disclosed, nor whether or not such advice has been sought.

Mr D McIlveen asked the Minister for Social Development to detail (i) the number of charities that have brought the Charity Commission for Northern Ireland to court; (ii) the names of the charities; (iii) the cost in legal fees to the Commission, including the time of in-house solicitors; and (iv) the number of times the Attorney General has been called on for advice on such cases, in the last five years.
(AQW 36813/11-15)

Mr Storey: In the last five years:

(v) The Charity Commission for Northern Ireland has been brought to court by four charities. The Commission has also been brought to court by nine individuals, in relation to ongoing statutory inquiries into Lough Neagh Rescue Ltd and the Disabled Police Officers Association of Northern Ireland.

(vi) The four charities are: Bangor Provident Trust Limited, Victoria Housing Estates Limited, the Ulster Society for the Prevention of Cruelty to Animals and the Disabled Police Officers Association of Northern Ireland.

(vii) The cost of external fees to the Commission for these cases are as follows:

- Bangor Provident Trust Limited and Victoria Housing Estates Limited: £50,981.85. These cases were joined and the figure shown includes the costs incurred by the Commission's appeal to the High Court in relation to a Charity Tribunal decision in relation to Bangor Provident Trust Limited;
- Ulster Society for the Prevention of Cruelty to Animals: £5,610
- Disabled Police Officers Association of Northern Ireland: this case is ongoing and costs have not yet been determined.

  The Commission does not use a time recording system therefore information in relation to the time of in-house solicitors is not held.

(viii) The longstanding convention is that, save in exceptional circumstances, the Attorney General's advice is not disclosed, nor whether or not such advice has been sought.

Mr Allister asked the Minister for Social Development to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 36869/11-15)

Mr Storey: There are currently seven members of staff from the Executive Information Service employed by the Department for Social Development. An additional two members of NICS staff provide administrative support to the Press Office.

Based on September 2014 figures, the annual cost of these staff would be £329,989.

The Press Office provides a range of communication services for the core Department, the Social Security Agency and the Child Support Agency.

These services include:

- Organising and attending departmental announcements across the wide remit of DSD business areas,
- Providing communications advice to Ministers on departmental issues,

- Developing strategic communication for departmental issues,
- Supporting the development of advertising campaigns through liaison with the Government Advertising Unit,
- Providing public facing information for publication through NI Direct,
- Responding to media queries / bids,
- Organising media briefings,
- Liaising with other Government Departments to facilitate joint communications and;
- Media monitoring.

Mrs D Kelly asked the Minister for Social Development whether the Northern Ireland Housing Executive has any plans to offer Voluntary Exit Redundancy packages in the near future.
(AQW 36872/11-15)

Mr Storey: I refer the Member to the answer given to AQW 36839/11-15.

Mr Allister asked the Minister for Social Development when the 2010 Northern Ireland Housing Executive (NIHE) review into the case of the West Belfast Manager who was moved from their post, was issued to the NIHE Board.
(AQW 36911/11-15)

Mr Storey: The Housing Executive has advised that the review into the case of the West Belfast Manager was presented to the NIHE Board on 27 October 2010.

Mr Easton asked the Minister for Social Development for an update on who will be responsible for the new development at the former Kilclief flats site in Kilcooley, Bangor.
(AQW 36984/11-15)

Mr Storey: Ark Housing Association have been appointed by the Housing Executive to take forward plans to deliver 16 new general needs social homes at Kilclief Gardens, Bangor.

Mr Easton asked the Minister for Social Development to detail the timescale for the new build at the Kilclief flats site in Kilcooley, Bangor.
(AQW 36985/11-15)

Mr Storey: A planning application has been submitted and work is expected to start on site in March 2015 for completion by June 2016.

Mr Clarke asked the Minister for Social Development for his assessment of the Supporting People Programme to date.
(AQW 37010/11-15)

Mr Storey: My Department has invested substantial funding in the supporting people Programme since its introduction in 2003. The Government target to support 17,000 vulnerable people to live independently in the community has been exceeded year on year through significant capital and revenue investment. Housing support services are being delivered by over 120 providers in over 800 accommodation based housing schemes and 17 floating support schemes in the wider community to over 23,000 people.

The Supporting People budget for 2014/2015 has been approved at £74m to maintain current levels of service provision.

Mr McKay asked the Minister for Social Development to detail the new build housing planned for North Antrim in the next three years.
(AQW 37046/11-15)

Mr Storey: In the North Antrim Parliamentary Constituency area there are nine schemes totalling 241 units planned for construction. These are:

Year of planned development: 2014/15

- St Mary's P.S. Larne Road, Ballymena (Trinity) – 74 family units
- Market Road, Ballymena (Trinity) – 27 family units
- Templemoyle, Kells (Ark) – 6 family units
- Balnamore, Ballymoney (Ark) – 3 family units
- Fairhill Street, Ballycastle (Habinteg) – 3 family units
- Mill House, Ballymena (Triangle)- 21 Single homeless units
- 2A Garryduff Road, Ballymoney (Triangle)- 9 Learning Disability units

Year of planned development: 2015/16

- 18 Waveney Road, Ballymena (Oaklee) – 14 family units
- 125-127 Larne Road, Ballymena (Clanmill) – 32 family units
- Cushendall Road, Ballymena (Fold) – 60 family units
- Frail Elderly Rathmoyle, Ballycastle (Apex) – 28 Elderly housing with care units

Year of planned development: 2015/16

- Phoenix Fields, Railway Street, Ballymena (Fold) – 22 family units

Mr Anderson asked the Minister for Social Development for an update on the number of properties which are still to benefit from the window replacement scheme in Lurgan during the 2014/15 financial year.
(AQW 37058/11-15)

Mr Storey: The Housing Executive has advised that there are currently 232 properties with single glazed windows in the Lurgan district that will benefit from a window replacement scheme during 2014/15.

Lord Morrow asked the Minister for Social Development for his assessment of the recent research that found that 36.5 per cent of betting shops are found in the 10 per cent most deprived council wards.
(AQW 37095/11-15)

Mr Storey: My Department is aware of this recently published research and will study its findings carefully. I welcome any robust evidence which may contribute to the current review of gambling and the development of a more effective regulatory framework.

The Member may be aware that before a court grants a new bookmaking office licence, it must be satisfied that the number of such premises in the locality is inadequate to meet current demand. Also, the gambling law does not permit the transfer of a bookmaking office licence from one location to another.

Mr Campbell asked the Minister for Social Development what percentage of applicants on the housing waiting list on 1 January 2014 were in housing stress.
(AQW 37145/11-15)

Mr Storey: The Housing Executive has advised that 53% of applicants on the waiting list at the 1st January 2014 were in housing stress.

Lord Morrow asked the Minister for Social Development how many licences for betting shops have been granted in each of the last five financial years, broken down by (a) constituency; and (b) council area, including new and former boundaries.
(AQW 37160/11-15)

Mr Storey: Licensing of bookmaking offices is the responsibility of the courts.

My Department does not hold information, in the format requested, regarding licences issued by courts. The member may find it helpful to refer to the answer provided to AQW 30097/11-15 in respect of the number of bookmaking office licences granted in 2008/09 and 2013/14.

Mr Agnew asked the Minister for Social Development whether there are any plans to introduce a Smart Move scheme in North Down.
(AQW 37404/11-15)

Mr Storey: The Housing Executive tendered for a Private Rented Sector Access Scheme in mid 2013 and the scheme has been operational from April 2014 with Smartmove Housing being appointed as the scheme provider. Initially access to the scheme was restricted to homeless applicants on the waiting list who wanted to be housed in one of twelve areas, identified as being locations of high housing need. North Down was not included in the initial list.

It is anticipated that the access criteria for the scheme will be extended to all areas of Northern Ireland following an upcoming evaluation of the scheme scheduled later this month.

Northern Ireland Assembly Commission

Mr Copeland asked the Assembly Commission to detail the range of budgetary pressures across the Assembly which it has identified as inescapable.
(AQW 36947/11-15)

Mrs Cochrane (The Representative of the Assembly Commission): The Assembly Commission has continued to deliver a complete range of services to the Assembly and its Members despite a reduction in its budget of 8.9% (equating to £4.32m)

over the Spending Review 2010 (SR 2010) period. This cut has presented major challenges but the Assembly Commission has managed to remain within its allocated budget limit while absorbing upward inflationary pressures. This has been possible through a range of measures including a comprehensive Business Efficiency Programme. This Programme examined each area across the Assembly Secretariat and identified a series of measures to help the Commission meet its budgetary obligations.

This financial year (2014/15) is the final year of the SR 2010 settlement. The Commission has undoubtedly curtailed its expenditure on various initiatives over the SR 2010 period and has managed its budget for this year to the extent that no budgetary pressures above its budget allocation have been identified.

Northern Ireland Assembly

Friday 24 October 2014

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Byrne asked the First Minister and deputy First Minister for an update on the projects that have benefited from the Social Investment Fund.
(AQO 6079/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): Details of all projects prioritised within the funding allocation for each of the nine social investment fund zones are available on the OFMDFM website at http://www.ofmdfmni.gov.uk/index/delivering-social-change/social-investment-funds/sif-projects.htm.

To date funding has been allocated to 23 of these projects, representing a commitment of £34.4 million. Officials are working closely with the lead partners of these projects to get them up and running. Indeed, a capital project in the Northern Zone, Causeway Rural and Urban Network, has contractors on site.

Mr Allister asked the First Minister and deputy First Minister to detail the current annual spend by the Strategic Investment Board on advisers/consultants.
(AQW 35937/11-15)

Mr P Robinson and Mr M McGuinness: Strategic Investment Board expenditure on external advice/consultancy for the financial year 2013/14 was £426,571. This is broken down by project as follows:

Year	Project	Total
13.14	Asset Management Unit	55,729
	Household efficiency and thermal improvement project	13,930
	Sustainable use of poultry litter project	23,154
	Primary Health Care Programme	286,938
	PSNI Projects	8,142
	Regeneration: Sally Gardens	3,658
	Desertcreat Training College	17, 573
	External assurance of procurement review	2,000
	Titanic Quarter Signature Project	15,447
13.14 Total		**426,571**

It is currently projected that SIB will spend £562,000 on consultancy in 2014/15, although this is subject to change as SIB responds to the needs of organisations.

Ms Sugden asked the First Minister and deputy First Minister to detail the total number of applications received by the Central Good Relations Funding Programme 2014/15; and how many were awarded funding.
(AQW 36260/11-15)

Mr P Robinson and Mr M McGuinness: Two hundred and twelve applications were received for the Central Good Relations Fund 2014/15. Two hundred of these applications were for project funding and 12 were for small grants.

Five of the 12 small grants applications have been approved and 7 were unsuccessful. All small grant applicants have been advised of the decision relating to their application.

Of the 200 applications for project funding, 21 have been approved based on the current available budget. The remaining applications for project funding will be re-considered if further funding becomes available.

It should be noted that the Central Good Relations Fund is a small central scheme designed to distribute funding in year. We primarily fund good relations work through the Community Relations Council and all District Councils. The fund does not and will not replace mainstream core or project funding.

Mrs Overend asked the First Minister and deputy First Minister to detail the level of funding needed to progress a cross-departmental internet safety strategy.
(AQW 36407/11-15)

Mr P Robinson and Mr M McGuinness: In June 2014, agreement in principle was obtained from the Safeguarding Board for Northern Ireland (SBNI) to develop an e-safety and action plan.

In the near future, the Department of Health, Social Services and Public Safety will submit a proposal, to commission the SBNI to take this work forward, to the Executive for approval.

This will include details of the level of funding required.

Mr Nesbitt asked the First Minister and deputy First Minister, pursuant to AQW 34227/11-15, how many eligible applications across Schemes 1-6 held by the Victims and Survivors Service have not received letters of offer.
(AQW 36596/11-15)

Mr P Robinson and Mr M McGuinness: All applications received for schemes currently open under the Individual Needs Programme, for which eligibility has been confirmed, have been processed and award letters issued. As of the end of September, 307 applications were outstanding, pending confirmation of eligibility.

Mr Eastwood asked the First Minister and deputy First Minister for an update on progress in the regeneration of Ebrington.
(AQW 36715/11-15)

Mr P Robinson and Mr M McGuinness: The Ebrington Development Framework, completed in March 2014, outlines how the Ebrington site will integrate with the city, ultimately supporting an additional 1,800 jobs in the city and additional GVA of £42m. The framework will be submitted for outline planning permission in autumn 2014.

Ebrington Square is a key shared space in the city, with over 600,000 people attending events in the space, including Peace One Day concert, Clipper festival concerts, One Big Weekend and, most recently, MTV Crashes.

To date, Ilex has completed the development at Ebrington Square, the “Peace Bridge”, and Building 79 for the City of Culture headquarters. Building 80/81 temporarily housed the Turner Prize 2013, and Ilex is now progressing with the fitting out of one floor for the Creative Industries Hub. A managing operator has been appointed for the Hub.

The following projects are being taken forward in 2014/15:

Project	Building	Timescale
DOE office accommodation	Building 71	October 2014
Underground car park/enabling platform		October 2014
Commercial activity	Building 70	December 2014/January 2015
Ilex office accommodation	Building 83	January/February 2015
Cafe/allied retail	Building 57/59	March/April 2015
Creative Hub	Building 80/81	Quarter 1 2015
Hotel development	TBC	Issue to market December 29014/January 2015

Ilex has received over 106 expressions of interest in the site, with 56 formal written submissions and has engaged commercial property consultants to advertise market opportunities.

Mr Eastwood asked the First Minister and deputy First Minister when the findings of Stage 2 of the Ebrington Development Framework Public Consultation will be published.
(AQW 36716/11-15)

Mr P Robinson and Mr M McGuinness: A draft Ebrington Development Framework was published in January 2014 and the Stage 2 public consultation ran until March 2014. The Stage 2 consultation resulted in no substantive changes to the Framework. The ethos, mix, scale of development and the economic impacts and benefits remain as previously published. There are no plans to publish separately the findings of the Stage 2 consultation.

Subsequent to public consultation, Ilex undertook a final Pre-Application Discussion (PAD) process guided by DoE Planning Service. The PAD process concluded in September. Ilex now proposes to submit an outline planning application by the end of October 2014 which takes account of the outcomes of both statutory and non-statutory consultation and will include the

findings of Stage 2 of the Ebrington Development Framework Public Consultation. This application will represent the final proposed framework for Ebrington.

Mr Eastwood asked the First Minister and deputy First Minister to detail (i) when the car park development at Ebrington will be completed; and (ii) the total cost of the project.
(AQW 36717/11-15)

Mr P Robinson and Mr M McGuinness: The car park development will be completed in October 2014. The contract cost is £4.96m.

Mr Eastwood asked the First Minister and deputy First Minister for an update on the number of expressions of interest in Ebrington received from (i) private sector; and (ii) public sector investors.
(AQW 36719/11-15)

Mr P Robinson and Mr M McGuinness: By 31 August 2014, Ilex had received 106 enquiries. From this total of 106 enquiries, Ilex received 56 formal/written submissions. These are shown in the following table, broken down between private (including community and voluntary) sector and public sector.

	Enquiries	Formal/written submissions
Private	102	54
Public	4	2
	106	**56**

Mr Eastwood asked the First Minister and deputy First Minister for an update on the development of a maritime museum at Ebrington.
(AQW 36720/11-15)

Mr P Robinson and Mr M McGuinness: A draft Economic Appraisal for a Maritime Museum at Ebrington has been prepared for Derry City Council and is awaiting final approval by the Project Board. Once approval is received, a full business case will be developed to bid for the necessary funding. The Museum is expected to open in spring 2019.

Mr B McCrea asked the First Minister and deputy First Minister how much their Department has spent on funding voluntary projects operated by faith based organisations in the last three years.
(AQW 37087/11-15)

Mr P Robinson and Mr M McGuinness: Within the last three years, the Department has provided funding to voluntary projects operated by faith based organisations, who have met programme specific criterion, as follows:

Funding Scheme	Organisation	2012/13	2013/14	2014/15
Central Good Relations Fund	Shankill Parish Caring Association		£4,000	
North Belfast Strategic Good Relations Programme	Rathcoole Churches Community Group	£11,950.00	£10,905	£9,269.25
Minority Ethnic Development Fund	Belfast Islamic Centre		£14,975	
	Embrace	£44,693	£44,386	
	Dialogue for Diversity		£3,573	

Belfast Islamic Centre is a charity that intends “to provide for the needs of Muslims in Northern Ireland”. Embrace defines itself as “a voluntary group of Christians”, whilst the Dialogue For Diversity was set up by Irish and British Jesuits and people from other churches.

Department of Agriculture and Rural Development

Mr Campbell asked the Minister of Agriculture and Rural Development to outline the changes she has made to the quality of rural tourism on offer; and the number of rural tourists during this time.
(AQW 36912/11-15)

Mrs O’Neill (The Minister of Agriculture and Rural Development): My Department has no specific responsibility for improving tourism quality or numbers in the north of Ireland. However by way of strengthening the rural economy and

improving the quality of life for rural dwellers my Department supports the development of the tourism offering in the north in line with the strategic aims of the NI Tourist Board.

As explained in my response to AQW 9548/11-15 my Department supports improved recreation and tourism facilities on Forest Service land through the development of partnership arrangements with local authorities and other tourism providers. This approach has led to the development of improved facilities in many areas including new mountain bike projects, play facilities and walking trails. Furthermore under Axis 3 of the rural Development programme 2007-2013, the Encouragement of tourism activities measure has committed £15.9m to 253 projects with over £12m having been paid to date. This includes for example projects such as the development of Grey Point Fort; Lissan House; Cushendun Camping Pods; and Davagh Forest Recreation Trails. Funded projects have to date resulted in additional tourist visits in excess of 530,000.

The Loughs Agency continues to play a major role in promoting and marketing Foyle and Carlingford Loughs. This has been done through the Foyle Maritime Festival 2014, the promotion of angling development, delivery of Interreg IVa programmes, provision of a portable event platform for Carlingford Lough and various Food Festivals and other tourism initiatives. This year also saw the return of the prestigious Round the Word Clipper Event to the City. This event was an outstanding success.

Mr Kinahan asked the Minister of Agriculture and Rural Development who is responsible for the upkeep and maintainance of the public car park in Tardree Forest, County Antrim.
(AQW 37013/11-15)

Mrs O'Neill: Forest Service is responsible for the management of Tardree forest and within this forest there is a gravel-surfaced informal parking area, known locally as Duncan's car park.

Mr Weir asked the Minister of Agriculture and Rural Development to outline the timescale for the replacement of trees in Cairn Wood, County Down.
(AQW 37081/11-15)

Mrs O'Neill: The timescale for the replacement of trees at Cairn Wood will be in line with the most up to date scientific advice relating to the replanting of disease affected sites. Currently this would suggest that replanting operations would be anticipated to commence in the spring of 2016.

Mr Weir asked the Minister of Agriculture and Rural Development to detail the cost of the (i) removal; and (ii) replacement of the trees in Cairn Wood, County Down.
(AQW 37083/11-15)

Mrs O'Neill: The felling and removal of trees at Cairn wood will be carried out by a privately owned licensed timber processer and any direct tree felling and extraction costs related to this operation will be under their management control.

It is anticipated that the future costs of re-establishing trees at Cairn Wood would amount to approximately £25,000.

Mr Weir asked the Minister of Agriculture and Rural Development what measures will be put in place to prevent a reoccurrence of the circumstances that led to the need to destroy trees at Cairn Wood, County Wood.
(AQW 37086/11-15)

Mrs O'Neill: As a result of the confirmation of Phytophthora ramorum infection in larch trees at Cairn Wood, a programme of felling affected trees is being undertaken. Felling of these trees will prevent any further sporulation of the disease from the tree foliage, providing the most effective means of reducing the risk and potential for spread to other tree species at Cairn Wood. Biosecurity protocols and public signage are also in place aimed at reducing the risk and potential for spread through other pathways.

Mr Weir asked the Minister of Agriculture and Rural Development to outline the plan for the replacement of trees at Cairn Wood, County Down.
(AQW 37088/11-15)

Mrs O'Neill: The long term objective for Cairn Wood is the establishment of a more resilient mixed tree species woodland taking account of its wider social and environmental benefits. The plan for re-establishing trees at Cairn Wood will include the use of both broadleaved and conifer trees with broadleaved trees being re-established primarily through the use of natural seed sources.

Mr Elliott asked the Minister of Agriculture and Rural Development whether agency or other staff from outside the Northern Ireland Civil Service have worked on the Rural Development Programme over the last two years.
(AQW 37109/11-15)

Mrs O'Neill: A wide range of outside providers have been contracted to work on the Rural Development Programme over the past two years, including:-

- Countryside Services Ltd (elements of Axis 1)
- Ai Services (elements of Axis 1)

- FIT NI (delivery of ICT training to farm business)
- RMA Systems (development/design and maintenance of the System 2007 database)
- Joint Council Committees (The 'Quality of Life', Axis 3 measures) These were:
  - **ARC North West**, comprising: - Derry; Limavady; Omagh; and Strabane councils.
  - **Down Rural Area Partnership**, comprising: - Ards, Banbridge; Down; and North Down councils.
  - **GROW, South Antrim**, comprising: - Antrim; Carrickfergus; and Newtownabbey councils.
  - **SOAR**, comprising: - Armagh; Craigavon; and Newry and Mourne councils.
  - **Lagan Rural Partnership**, comprising: Belfast; Castlereagh; and Lisburn councils.
  - **North East Region**, comprising: - Ballymena; Ballymoney; Coleraine; Larne; and Moyle councils.
  - **SWARD**, comprising: - Cookstown; Dungannon and South Tyrone; Fermanagh; and Magherafelt councils.
- Rural Development Council (Rural Network facilitation).
- Premiere People Recruitment Agency (short-term administration support on Agri-environment schemes).
- Countryside Agri-rural Partnership (CARP) (delivery of Agri-Environment training to farmers.

Mr Allister asked the Minister of Agriculture and Rural Development to detail the current (i) number; and (ii) annual cost of staff employed in her Department's Information Service.
(AQW 37156/11-15)

Mrs O'Neill: There are 8 members of staff employed in DARD Media Services. This includes 4 information officers.

The total cost for these staff in 2013/14 was £255,206.

Mrs D Kelly asked the Minister of Agriculture and Rural Development what impact the proposed reductions of the Single Farm Payment will have in Upper Bann.
(AQW 37191/11-15)

Mrs O'Neill: Single Farm Payments in Upper Bann will be reduced due to the impact of the currency exchange rate as well as the permanent scaleback of entitlements and imposition of financial discipline by the European Commission. These factors are outside the control of my Department and it is not possible, at this stage, to give detailed information on the value of the reduction in Upper Bann. It is envisaged that the reduction in Upper Bann will broadly reflect the overall estimated reduction across the north of Ireland of 9.5%.

Mrs Dobson asked the Minister of Agriculture and Rural Development for an estimate of the costs associated with the replacment of the Animal and Public Health Information System.
(AQW 37210/11-15)

Mrs O'Neill: The Animal and Public Health Information System (APHIS) is nearing the end of its life and plans are well advanced for its replacement.

The Notice of Intended Procurement published in the Official Journal of the European Union in July 2014 advised prospective suppliers that the estimated value of the contract ranged between £56,000,000 and £65,000,000 GBP (excluding VAT) for a period of up to 15 years.

The contract covers the development of the new system - including testing, support, migration of data from the existing systems, and managing the transition to the new system, as well as on-going maintenance and upgrades for up to 15 years.

The figures given in the Official Journal are taken from the Outline Business Case, which under HM Treasury guidelines must make allowance for "Optimism Bias", to accommodate and make allowance for the range of risks to which complex projects are exposed. This was calculated at 62% on top of the initial estimates of capital cost.

My officials have separately set out the NIFAIS Programme's resource and capital budget allocation in the briefing provided to the ARD Committee, in advance of the closed session on 7th October.

As my officials explained on that occasion, a number of interested companies are now being short-listed, prior to being invited to participate in Competitive Dialogue this November. You will therefore also be aware that commercial confidentiality is key to ensure not only the successful outcome of a good solution providing value for money, but also the maintenance of competitiveness, fairness and trust, as the procurement goes forward to award of contract, sometime late in 2015.

Mr Copeland asked the Minister of Agriculture and Rural Development to detail the level of reserves in each of her Department's arm's-length bodies as of 1 October 2014.
(AQW 37218/11-15)

Mrs O'Neill: The Reserves or Taxpayers' Equity held in each of the Department's arm's-length bodies is published in their Annual Report and Accounts and details of the Reserves held at the most recent year-end is provided in table 1.

Table 1: Reserves held in DARD's arm's-length bodies

Arm's-Length Body (Note 1) Reserves balance as at year ended:	AFBI 31/3/14 (draft)	LMC 31/3/14	NIFHA 31/3/14	FCILC 31/12/13
Comprehensive Expenditure Reserve	£9,460k	£3,299k	£745k	£400k
Revaluation Reserve	£4,170k	-	£8,634k	£1,012k
Other Reserves:	-			-
Farm Quality Assurance Scheme (LMC)		£241k		
Capital Reserve (NIFHA)			£441k	
Total Reserves (equals total assets less total liabilities)	£13,630k	£3,540k	£9,820k	£1,412k

Note 1:

AFBI - Agri-Food and Biosciences Institute (the audit of AFBI accounts is ongoing therefore the figures shown are draft)

LMC - Livestock and Meat Commission for NI

NIFHA - NI Fisheries Harbour Authority

FCILC - Loughs Agency of the Foyle, Carlingford and Irish Lights Commission (North South Body)

Ms Sugden asked the Minister of Agriculture and Rural Development to detail the approximate number of staff that will move to her Department's new headquarters at Ballykelly; and whether economic benefits, through job creation in the local area, is a realistic outcome of this move.
(AQW 37295/11-15)

Mrs O'Neill: On 26 June, the First Minister and deputy First Minister conveyed agreement to the relocation of my departmental headquarters to Ballykelly. The project is now proceeding and involves a new build, to accommodate 400 workstations to be completed by the end of 2017 and an extension to accommodate a further 200 workstations to be completed by end of 2020.

In order to ensure that there is a transfer of corporate knowledge to the new location my officials are preparing a detailed staff transition plan which will align with the 400 and 200 workstation arrangements.

The relocation of my department to Ballykelly will realistically help stimulate the local economy through increased local spending, provision of high quality and high value public sector jobs and potentially jobs associated with the construction and the ongoing servicing of the new accommodation. It will help to share wealth across the economy and contribute to better-balanced economic growth and help to address disparities in the distribution of public sector jobs in the north of Ireland.

Mr Weir asked the Minister of Agriculture and Rural Development what projects into mastitis in cows are funded, or intended to be funded, by her Department or its arm's-length bodies.
(AQW 37345/11-15)

Mrs O'Neill: Whilst my Department does not currently fund research specifically looking at mastitis in cows there are a number of on-going DARD directed AFBI research projects and Research Challenge Fund projects which are examining the effects of nutritional and management strategies on a range of milk production, health and fertility parameters, and mastitis is one of the issues that is covered in this analysis. This work will increase understanding on the effects of dairy cow nutrition and management on mastitis.

Mr Weir asked the Minister of Agriculture and Rural Development what funding the Agri-Food and Biosciences Institute receive from her Department for the purposes of research.
(AQW 37346/11-15)

Mrs O'Neill: In 2014/15, AFBI is receiving almost £40m of funding from my Department. AFBI provides the Department with research, statutory and diagnostic services and an emergency response capability. The AFBI strategic cost model indicates that approximately £13m is allocated to the DARD directed research programme.

Mr Weir asked the Minister of Agriculture and Rural Development, in relation to departmental funding provided to the Agri-Food and Biosciences Institute (AFBI) for research purposes, whether any opportunity is given to outside academics or groups to submit research proposals to AFBI that could be undertaken using this funding.
(AQW 37349/11-15)

Mrs O'Neill: The Agri-Food and Biosciences Institute (AFBI) was created by DARD in 2006 as the Department's primary science provider. This means AFBI provides the Department with research, statutory and diagnostic services and emergency response capability. It should also be noted that the Department's investment in research at AFBI is complementary to

AFBI's strategic capacity, enhancing and maintaining their core expertise for emergency response, statutory diagnostic and analytical testing, disease surveillance and specialist advice.

Under the DARD-Directed AFBI Research Programme there is scope for research projects to incorporate sub-contracted activities from other research institutes. Standard Government practices must be observed for all sub-contracted activities.

My Department is currently reviewing its Evidence and Innovation Strategy which provides a high level framework for DARD's evidence gathering and innovation support. As part of this, our current research commissioning arrangements will be reviewed in a process which will involve close liaison with stakeholders and other funders of research.

Mr Weir asked the Minister of Agriculture and Rural Development what funding or opportunities her Department offers for agricultural research projects, other than funding to the Agri-Food and Biosciences Institute.
(AQW 37351/11-15)

Mrs O'Neill: In addition to the DARD-directed AFBI research programme, my Department provides funding for agricultural research projects through (1) Postgraduate Studentships and (2) the Research Challenge Fund (RCF).

Currently DARD is funding 26 Postgraduate Studentships, the majority of which are undertaken in conjunction with Queen's University Belfast or the University of Ulster. The research areas for these studentships (leading to PhDs) are directly related to DARD's priority evidence and innovation needs, to help drive innovation in the industry and provide high level training to underpin the science base in the north of Ireland.

The RCF is a key element of the DARD Evidence and Innovation Strategy. It gives small and medium sized businesses from the agri-food and other rural sectors an opportunity to get help with research and encourages collaboration between rural enterprises and the local, national and international research base. The main eligibility criteria for the Fund includes collaboration (must involve 2 or more industry and one public sector research partner) and the ability to show that projects will benefit the primary production sector in the north.

Finally, my Department is also providing funding for 3 years for a NI Contact Point, based at AFBI but with a remit across the north, to support, encourage and facilitate local businesses and researchers in applying for EU funding for agri-food related work and, thereby, increase drawdown of EU innovation funding.

Department of Culture, Arts and Leisure

Mr Copeland asked the Minister of Culture, Arts and Leisure how many staff in (i) her Department; and (ii) its arm's-length bodies are employed on zero hour contracts.
(AQW 37035/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): I can advise that no staff in my Department, are employed on zero hour contacts, however, one of my Department's Arms Length Bodies, National Museums Northern Ireland (NMNI) does employ casual staff on permanent contracts of employment which do not guarantee any minimum level of hours, ie, zero hour contacts. The frequency of which staff work is based on their own availability as well as with the Museums operational need. Numbers of casual staff employed by site is provided in the table below:

Site	Casual Staff
Armagh County Museum	3
Ulster American Folk Park	37
Ulster Folk Transport Museum	57
Ulster Museum	60
Total	**157**

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure to detail the (i) number; and (ii) grade of staff which Libraries NI envisage as a shortfall.
(AQW 37166/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is currently working through the process of determining its revised staffing requirements in order to achieve in-year savings of 4.4%. As a consequence, it is not yet possible to detail the overall staffing shortfall other than to note that 37 Full-Time Equivalent agency staff have recently been released. These staff were all at Library Assistant grade.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure how many agency staff have had their employment terminated by Libraries NI in the last six months; and at what grades they were employed.
(AQW 37167/11-15)

Ms Ní Chuilín: Libraries NI has informed me that, in order to achieve in-year savings of 4.4%, it has released 37 Full Time Equivalent agency staff. These staff are employed by an agency rather than Libraries NI. Any decision on whether or not they can be redeployed is a matter for the agency concerned. Those released are all at Library Assistant grade.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure how many unfilled and vacant posts have been identified by Libraries NI; and at what grade are these posts.
(AQW 37168/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is currently working through the process of determining its revised staffing requirements in order to achieve in-year savings of 4.4%. As a consequence, it is not yet possible to detail any overall staffing shortfall other than to note that 37 Full-Time Equivalent agency staff have recently been released. These were all at Library Assistant grade.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure what are the implications of the cuts to Libraries NI to the future of (i) public access terminals; (ii) story time; and (iii) computer learning.
(AQW 37169/11-15)

Ms Ní Chuilín: Libraries NI has informed me that public access terminals will be available to customers as usual throughout library opening hours. In temporarily reducing opening hours, Libraries NI aims to keep its libraries open at the busiest times and to provide the most popular core activities. Although the number of storytimes and computer learning sessions may decrease it is not yet possible to quantify these reductions.

Mr D Bradley asked the Minister of Culture, Arts and Leisure to detail the (i) number; and (ii) grade of staff which Libraries NI envisage as a shortfall.
(AQW 37171/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is currently working through the process of determining its revised staffing requirements in order to achieve in-year savings of 4.4%. As a consequence, it is not yet possible to detail the overall staffing shortfall other than to note that 37 Full-Time Equivalent agency staff have recently been released. These staff were all at Library Assistant grade.

Mr D Bradley asked the Minister of Culture, Arts and Leisure how many agency staff have had their employment terminated by Libraries NI in the last six months; and at what grades they were employed.
(AQW 37172/11-15)

Ms Ní Chuilín: Libraries NI has informed me that, in order to achieve in-year savings of 4.4%, it has released 37 Full Time Equivalent agency staff. These staff are employed by an agency rather than Libraries NI. Any decision on whether or not they can be redeployed is a matter for the agency concerned. Those released are all at Library Assistant grade.

Mr D Bradley asked the Minister of Culture, Arts and Leisure how many unfilled and vacant posts have been identified by Libraries NI; and at what grade are these posts.
(AQW 37174/11-15)

Ms Ní Chuilín: Libraries NI has informed me that it is currently working through the process of determining its revised staffing requirements in order to achieve in-year savings of 4.4%. As a consequence, it is not yet possible to detail any overall staffing shortfall other than to note that 37 Full-Time Equivalent agency staff have recently been released. These were all at Library Assistant grade.

Ms McCorley asked the Minister of Culture, Arts and Leisure how Libraries NI can mediate against closures because of forced staffing cuts.
(AQW 37202/11-15)

Ms Ní Chuilín: Libraries NI has informed me that the measures under consideration to deliver its in-year savings of £1.4m do not include the permanent closure of any library. However, in some cases there may be temporary ad hoc closures. Advance notice will be provided to the public wherever possible.

Ms McCorley asked the Minister of Culture, Arts and Leisure whether all senior posts within Libraries NI are currently filled; and if not, whether any of these vacancies have been identified to be carried until the 2015/16 budget is confirmed.
(AQW 37204/11-15)

Ms Ní Chuilín: Libraries NI has informed me that all senior posts within the Authority are currently filled. Should any vacancy arise, the need to fill the post will be scrutinised rigorously before a decision is made to fill it.

Mr Agnew asked the Minister of Culture, Arts and Leisure (i) for a a breakdown of her Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory

obligations; and (iii) whether she will deposit a copy of her Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37205/11-15)

Ms Ní Chuilín: Bids made for both capital and resource budget in the October monitoring round are described in the table below. Further information on each bid is also included. The Department will forward details of bids for deposit in the Assembly library.

DCAL - Bids in October Monitoring 14/15

Note	Description	Other Resource £000s	Capital £000s	Depreciation £000s
1	NMNI - Preventative & Essential Maintenance		1,882	
2	City of Culture Legacy -Sporting Village and Boxing		1,389	
3	City of Culture Legacy - Other		1,434	
4	Carl Frampton - World Title Fight - DCAL Contribution to OFMdFM	100		
5	City of Culture Legacy	1,000		
6	Depreciation Pressure			610
	Total	**1,100**	**4,705**	**610**

Notes

1. This is a composite capital bid in respect of essential maintenance across National Museums sites.
2. This bid will cover inescapable pressures related to the North West Sporting Village and the North West Boxing programme.
3. Other elements within City of Culture Legacy are provided for in this bid.
4. DCAL supported the Carl Frampton event in the expectation the Executive would provide funding.
5. This bid relates specifically to a joint DCAL/DE programme designed to deliver positive educational outcomes as part of City of Culture Legacy.
6. This bid covers a shortfall in the depreciation budget. The pressure has arisen across a number of the Department's Arm's Length Bodies.

Mr D Bradley asked the Minister of Culture, Arts and Leisure to detail the level of importance attached to the delivery of customer service at each library; and how Libraries NI can mediate against the forced closure because of staffing cuts.
(AQW 37274/11-15)

Ms Ní Chuilín: Both Libraries NI and my Department attach great importance to customer service at all public libraries. Libraries NI will endeavour to provide the best customer service possible within the resources available to it.

Libraries NI has informed me that the measures under consideration to deliver its in-year savings of £1.4m do not include the permanent closure of any library. However, in some cases there may be temporary ad hoc closures. Advance notice of such closures will be provided to the public wherever possible.

Mr D Bradley asked the Minister of Culture, Arts and Leisure whether all senior posts in Libraries NI are filled; and if there are any vacancies arising that may not be filled until the 2015/16 budget is defined.
(AQW 37275/11-15)

Ms Ní Chuilín: Libraries NI has informed me that all senior posts within the Authority are currently filled. Should any vacancy arise, the need to fill the post will be scrutinised rigorously before a decision is made to fill it.

Mr D Bradley asked the Minister of Culture, Arts and Leisure advise what are the budgetary implications of cuts in the longer term in relation to issuing books, public access terminals use, story time and computer learning in Libraries NI.
(AQW 37276/11-15)

Ms Ní Chuilín: Libraries NI has informed me that book issues and accessibility to public access terminals will continue as usual during a library's opening hours.

By temporarily reducing opening hours Libraries NI aims to keep its libraries open at the busiest times, and also to continue providing the most popular core activities. Although the number of storytimes and computer learning sessions may decrease it is not yet possible to quantify these reductions.

Mr D Bradley asked the Minister of Culture, Arts and Leisure whether staff in Libraries NI can be redeployed to ensure service provision to the public is maintained.
(AQW 37277/11-15)

Ms Ní Chuilín: Libraries NI has informed me that where the flexibility exists to redeploy staff to other libraries, to ensure that its service provision to the public is maintained, it will give careful consideration to any such redeployment opportunities.

Ms Sugden asked the Minister of Culture, Arts and Leisure what support her Department has provided to grass roots soccer programmes in East Londonderry since 2011.
(AQW 37293/11-15)

Ms Ní Chuilín: Sport NI, an arms length body of my Department, has supported grassroots football in the constituency area since 2011 through the presence of a sports development officer who has offered a range of opportunities to clubs in the area. These include the hosting of a North West Coaching Forum for coaches and club volunteers in 2011 and 2013; ongoing guidance and support around the 'Clubmark' accreditation scheme; and offering bespoke coach development workshops in the region during 2011 and 2012. The officer has also attended local club presentation nights on behalf of Sport NI.

In the 2013/14 financial year, the Foyle Cup received funding of £30,000 as part of the 2013 City of Culture. In addition, throughout the City of Culture year, the Irish Football Association delivered a wide range of football training initiatives including soccer schools, street leagues and coaching courses as well as the UEFA Grassroots Day Festival of Football 2013.

Mr McQuillan asked the Minister of Culture, Arts and Leisure whether she has plans in place to ensure that the legacy of the UK City of Culture filters down to smaller towns, such as Castlerock, Garvagh and Kilrea.
(AQW 37391/11-15)

Ms Ní Chuilín: To tackle significant socio economic need and build on the success of City of Culture 2013 my Department has established a strategic focus on cultural development across the North West region, including the rural area beyond Derry City and the larger towns.

A DCAL North West Office has been established to maintain partnerships, momentum and to ensure the Department's activities in the North West achieve maximum impact.

My Department's on-going work across museums, libraries, arts, sports, languages and creative industries, and their support to education, the economy, social inclusion and health and wellbeing, forms the central pillar of City of Culture legacy actions.

This work is taking place throughout the entire North West. For example, NI Screen, through its Creative Learning Centre at the Nerve Centre, is undertaking work in the Castlerock, Garvagh and Kilrea areas and there are 50 FilmClub schools in the North West area, 15 of which are located in rural areas.

Libraries NI delivers a wide range of targeted services in the North West including activities in both Garvagh and Kilrea libraries.

Arts Council NI have also provided funding in Kilrea and Garvagh under their Musical Instruments for Bands programme.

Mr Swann asked the Minister of Culture, Arts and Leisure for an update on the fish kill of salmon smolts and parr at the eel fishery in Portna Kilrea during the first two weeks of October; and what action has been taken by her Department to protect salmon smolts and parr at this facility as per EU obligations.
(AQW 37400/11-15)

Ms Ní Chuilín: My Department received a report of a fish kill in the vicinity of Portna on Thursday 9 October 2014 and immediately a Fisheries Protection Officer was tasked to collect any dead fish for analysis.

In response to the incident, my Department has commissioned AFBI scientists to assist with an investigation and this is currently on-going. This will report on the circumstances of the incident and inform any further action required to ensure the protection of salmon smolts and parr and other fish stocks.

I will advise you of the outcome of this investigation in due course.

Mr Easton asked the Minister of Culture, Arts and Leisure whether any museums funded by her Department have cash reserves; and if so to list the museums and their respective reserves.
(AQW 37496/11-15)

Ms Ní Chuilín: My Department's funding of the museums sector in the north of Ireland is primarily directed to National Museums NI and also the NI Museums Council. Neither of these bodies is permitted to hold cash reserves.

The NI Museums Council also runs a small grant programme to support museums within the local museums sector. None of the museums funded by the Council in 2014/15 hold cash reserves.

In support of the Decade of Centenaries programme my Department also provides some direct funding to the Somme Heritage Centre. The Centre does not hold cash reserves.

You may wish to note that a cash management policy exists to minimise cash balances held around the DCAL family. Each Arms Length Body is therefore provided with cash on the basis of monthly 'drawdowns'. These are normally calculated upon an organisation's needs for the succeeding month only.

Mr Humphrey asked the Minister of Culture, Arts and Leisure for an update on the court case surrounding the redevelopment of Casement Park.
(AQW 37546/11-15)

Ms Ní Chuilín: A Judicial Review Leave Application against the DOE's decision to grant planning approval for Casement Park was lodged in April 2014. Leave for Judicial Review was granted in June 2014.

The High Court Judicial Review case hearing finished on 13th October 2014 and judgement is currently reserved whilst the Judge considers all the arguments presented prior to delivering a decision, which is expected to take a number of weeks with the final decision anticipated in November 2014.

Mrs Cochrane asked the Minister of Culture, Arts and Leisure to detail (i) what action she will take to preserve the name of the Ulster Orchestra; (ii) whether appropriate weighting has been given to its unique role and ambassadorial function in applying criteria for allocating funding to cultural events and organisations; (iii) whether the inclusive nature of the Orchestra's programme of performance, arts education and outreach was considered; (iv) whether there has been liaison between her Department and the Orchestra's other major sponsors, such as the BBC, to discuss alternative funding mechanisms; and (v) her assessment of the impact of the potential closure of the Orchestra on other growing creative industries, such as film and television production, given her personal commendation of its collaboration with NI Screen in March 2014.
(AQW 37562/11-15)

Ms Ní Chuilín: The Ulster Orchestra (UO) needs to develop a long-term, sustainable approach to address its current financial difficulties. Departmental officials together with the Arts Council have been liaising with the UO and its sponsors to discuss potential operating models and alternative funding mechanisms.

I recently met with representatives of the Orchestra to explore the nature of the problems it faces and the work it is undertaking to identify possible solutions. Further work is being undertaken by the Orchestra, over the next few weeks to identify potential options for the future.

DCAL funding to the UO is mainly administered by the Arts Council, although my Department has also supported the organisation through the Creative Industries Fund. It is a matter for the Arts Council to apply its funding criteria fairly and equitably across all applicants. These criteria include: Quality of Artistic Activity; Public Benefit; and Governance and Financial Management. Within these, the Arts Council is of the view that the Orchestra's artistic vision, strategic partnerships and track record of high quality activity and engagement with audiences all illustrate its unique and ambassadorial role on the local, national and international concert platforms and in the community. When making its funding decisions the Arts Council also considers the Orchestra's programme, which engages annually with 100,000 people from all backgrounds and settings including schools, universities and community projects.

The UO is an important cultural partner, collaborating with educational institutions, other arts organisations (such as NI Opera and the Belfast Philharmonic Choir), local authorities, and broadcasting institutions. It provides unique opportunities for local composers and musicians to enhance their career development and these would be unavailable if the Orchestra were to close.

NI Screen also promotes the Orchestra to the film and television industry. The impact on the wider creative industries of the closure of the UO would be in the form of a lost opportunity to build on and realise the benefits of this fledgling collaboration, as well as existing ones.

Regarding any potential change of name, this would be a matter for the Orchestra itself. I would not, however, be opposed to a change of name, particularly if it offered the Orchestra an opportunity to promote and affirm a clear shift in strategic direction to a new business model based on principles of engagement, inclusivity and outreach work especially to the wider community.

Dr McDonnell asked the Minister of Culture, Arts and Leisure what plans her Department has to prevent the Ulster Orchestra from entering administration by the end of 2014.
(AQW 37588/11-15)

Ms Ní Chuilín: The Ulster Orchestra (UO) needs to develop a long-term, sustainable approach to address its current financial difficulties. Departmental officials together with the Arts Council have been liaising with the Ulster Orchestra (UO) and its sponsors to identify future, potential operating models and alternative funding mechanisms. I recently met with representatives of the Orchestra to explore the nature of the problems it faces and the work it is undertaking to identify possible solutions. Further work is being undertaken by the Orchestra, over the next few weeks to identify potential options for the future.

Mr McCausland asked the Minister of Culture, Arts and Leisure to outline the programme of events which has been organised to mark the 50th anniversary of the Ulster Folk and Transport Museum.
(AQW 37612/11-15)

Ms Ní Chuilín: National Museums has advised that the main event organised to mark the 50th anniversary of the Ulster Folk and Transport Museum (UFTM) was the Folk Life Festival held on Monday 5 May. The event included performances from

some of the best known names in Irish traditional music as well as performances from a Royal Scottish Pipe Band, Lambeg drum demonstrations, poetry recitals and a range of foods 'straight from the open fire'. There were also traditional craft demonstrations including butter churning, basket weaving, lace work and blacksmithing.

In addition, a number of ancillary events at the UFTM are being promoted as part of the 50th anniversary celebrations. These are:

15 February 2014	Horse Ploughing and Country Skills Day
17 March	St Patrick's Day Celebrations
17 April	Circuit of Ireland Shakedown
20 - 22 April	Easter Celebrations
26 April	Vintage Bus Rally
10 May	Glorious Gardens
17 May	Horse Drawn Vehicle Day
7 - 8 June	Ships, Planes, Trains and Automobiles
14 June	Cultra Hill Climb
21 June	Grandparents Day: A Grand Day Out
27 June	A Step In Time - Irish Dance Exhibition Opening
28 June	Ferguson Heritage Tractor Day
27 July	Capri Car Club Day
2 August	Donkey Day
5 August	The Home Front WW1 tours (start date)
8 - 9 August	RSPB Big Wild Campout
16 - 17 August	Native and Traditional Breeds
27 August	Treasure House
6 September	Crafts & Skills Day
28 September	Autumn Wildlife Hunt
31 October	Halloween Family Festival
8 November	Model Railway Day
5,12 &19 December	Christmas Evenings inc Carols By Candlelight
10 December	Traditional Music Concert
14 December	The Spirit of Christmas Past
21 December	Nine Lessons and Carols
14 February 2015	Horse Ploughing and Country Skills Day
17 March 2015	St Patrick's Day Celebrations

Mr Dunne asked the Minister of Culture, Arts and Leisure what action she is taking to secure the future of the Ulster Orchestra.
(AQW 37623/11-15)

Ms Ní Chuilín: I am aware of the financial difficulties currently being experienced by the Ulster Orchestra (UO) and of the need for it to develop a long-term, sustainable approach to address these issues. I recently met with representatives of the Orchestra to explore the nature of the problems it faces and the work it is undertaking to identify possible solutions. In addition, officials from my Department have, together with the Arts Council, been liaising with the UO and its sponsors to discuss potential operating models and alternative funding mechanisms. Further work is being undertaken by the Orchestra, over the next few weeks to identify potential options for the future.

Department of Education

Ms Sugden asked the Minister of Education for his assessment of the capacity of non-grammar schools to meet the challenges of maintaining and improving on the number of students achieving the expected levels of performance in English and maths.
(AQW 37292/11-15)

Mr O'Dowd (The Minister of Education): The status or name of a school is irrelevant to the quality of education the school provides. All schools deliver the same curriculum. International reports tell us that we need to have a socially balanced school system to enable all pupils to achieve their potential. However, the continued use of academic selection by some schools presents significant challenges for all schools.

International and local evidence highlights the link between deprivation and educational attainment and shows that schools with the highest concentrations of socially deprived pupils face the greatest challenges in supporting their pupils. In our post primary sector this concentration of deprivation is most evident in non-selective schools and I'm cognisant of the particular challenges these schools face.

It should also be noted however, that a number of non-selective schools have been successful in overcoming this challenge and in delivering improved outcomes for their pupils. Examples can be found in the case studies included in the Education and Training Inspectorate's (ETI) report entitled 'The Survey of Best Practice in English and Mathematics in Post-Primary Schools'.

http://www.etini.gov.uk/index/surveys-evaluations/surveys-evaluations-post-primary/surveys-evaluations-post-primary-2013/best-practice-in-english-and-mathematics-in-post-primary-schools.pdf

My aim is to improve equity in our system. I am supporting schools to achieve this through a set of evidence based policies that are designed to raise standards; by taking forward a range of additional interventions; and by working to raise parental and community aspirations.

I have redistributed school funding to target schools with high numbers of pupils from socially disadvantaged backgrounds and injected a further £10 million specifically targeting social deprivation into school budgets from April 2014.

Within schools, I am implementing a range of funded programmes to improve pupils' outcomes in literacy and numeracy. These include the Delivering Social Change programme to employ additional teachers, a literacy and numeracy CPD Key Stage 2/3 Project, the Strategic Development Fund to Area Learning Communities and the Greater West Belfast Primary Schools Project. In addition, the ETI is delivering a targeted support programme in a number of post primary schools which aims to bring about improvements in the teaching of GCSE English and maths.

The ETI has also worked with ESaGS.tv to identify good practice in the teaching of English and mathematics and working with effective practitioners, shared good practice with other schools. It is through such dissemination of good practice that schools can develop the capacity to raise standards achieved by their pupils.

Alleviating deprivation and its impact cannot be tackled by schools alone. I am also providing additional funding to support recently initiated programmes targeted at socially deprived communities. These include the Community Education Initiatives Programme and the Greater West Belfast Community Project. The Education Works advertising campaign is also aimed at delivering positive educational outcomes.

Mr Agnew asked the Minister of Education to detail (i) the schools in North Down that sought capital funding for new school buildings; (ii) what each school scored in each of the criteria against which the proposals were judged; (iii) the total score of each school; and (iv) the score of the lowest scoring school to receive capital funding, in each of the four capital funding announcements for major works projects, since 2007.
(AQW 37298/11-15)

Mr O'Dowd: The four capital funding Announcements were in 2010, 2012, 2013 and 2014. The protocols detailing the criteria and scoring mechanisms utilised for the Announcements in 2012, 2013 and 2014 are available on the Departments website and may be accessed at the following hyperlink; http://www.deni.gov.uk/index/schools-and-infrastructure-2.htm

2010 Announcement

The rationale for the 2010 Announcement may be found in my response to AQW 35433/11-15.

2012 Announcement

The following schools in North Down were considered as potential new build projects in North Down:-

Schools
Holywood Schools* (Holywood Nursery School, Holywood Primary School and Priory College)
St Columbanus College

* The South Eastern Education and Library Board submitted Holywood Nursery School, Holywood Primary School and Priory College as a combined project.

Each proposed project was taken through the 2012 Announcement protocol process. Under Stage 1 of the process any projects over which there was any degree of uncertainty or that needed to be considered in the context of an area solution were eliminated.

The Holywood Schools project did not progress to Stage 2 as Priory College did not meet the sustainability criteria. St Columbanus College did not progress as it was also below the sustainability criteria and clarity was required within the area planning context.

2013 Announcement

The following schools in North Down were considered as potential new build projects in North Down:-

Primary Schools	Post Primary Schools
Bangor Central Integrated Primary School	Priory College
Holywood Primary School	St Columbanus College

Each proposed project was taken through the 2013 Announcement protocol process and only schools that were deemed to be viable and in line with the needs of the area (as determined by the emerging area planning process) were eligible for assessment under stages 2 and 3 of the process.

Holywood Primary, Priory College and St Columbanus College did not progress to stage 2. The scores for the remaining school are set out below:-

Name of School	Rationalisation	Accommodation inadequacies	Reliance on Temp Accommodation	Total
Bangor Central PS	0	18.3	6.52	24.82

The score of the lowest scoring school to receive capital funding in the primary school sector was 32.58 and in the post primary sector was 32.28.

2014 Announcement

I refer to my response to AQW 34710/11-15 for the scoring etc for the North Down schools that sought funding in 2014.

Mrs Dobson asked the Minister of Education for his assessment of (i) the health and safety implications for pupils of shale hockey pitches at schools; and (ii) when these pitches will be replaced by more modern and safer playing surfaces.
(AQW 37377/11-15)

Mr O'Dowd: There is no evidence that the health and safety risk to pupils is significantly greater on a properly maintained shale pitch than on other playing surfaces. While playing on a shale pitch has the potential to cause minor injuries from grit induced skin abrasions, synthetic playing surfaces can result in heat abrasion burns which can be slower to heal than grit induced abrasions to the skin from a shale surface.

The move to synthetic playing surfaces in recent years is primarily reflective of the fact that these surfaces may be used throughout the year for a range of games and therefore offer greater availability and flexibility in delivery of the physical education curriculum.

There are no plans for a specific programme to replace shale hockey pitches at this time. However should a school have health and safety concerns about any type of playing pitch, it should contact the relevant managing authority in the first instance. If the school authority considers that a pitch needs to be improved then an application for minor capital works may be considered by either the Education and Library Board (ELB), for a controlled school, or the Department if it is a school in the non-controlled sector. Applications for minor capital works are assessed against criteria common to the five ELBs. Where possible, ELBs also seek to provide such sports facilities for schools in collaboration with district councils, sports clubs and organisations such as SportNI so that facilities can be provided for joint school and community use.

Mr Lunn asked the Minister of Education to detail (i) the current average waiting time for an Educational Psychologist across all Education and Library Boards; and (ii) the current waiting time for an Educational Psychologist in the Belfast Education and Library Board.
(AQW 37423/11-15)

Mr O'Dowd: The Education and Library Boards, including the Belfast Education and Library Board, have advised that the average waiting time between a pupil being referred to an educational psychologist and having their first appointment for the period 1 October 2013 – 30 September 2014 is as follows:

	Number of Days
BELB	29

	Number of Days
NEELB	81
SEELB	100
SELB	63
WELB	77

These figures refer to Stage 3 (non statutory) assessments as outlined in the Code of Practice on the Identification and Assessment of Special Educational Needs.

Mr Allister asked the Minister of Education how many posts Gavin Boyd currently holds within education administration; and of these, how many are paid posts.
(AQW 37430/11-15)

Mr O'Dowd: Gavin Boyd is a senior official in the Department of Education. In addition to this role, he is Interim Chief Executive of the Southern Education and Library Board for which he receives no additional remuneration.

Lord Morrow asked the Minister of Education to detail the cost of the electrical maintenance and repair contracts for the Southern Education and Library Board, in each of the last five financial years.
(AQW 37435/11-15)

Mr O'Dowd: The following table details costs in relation to electrical maintenance and repair contracts for the Southern Education and Library Board in each of the last five financial years totalling over £7 million as follows:

2009/10 £000'S	2010/2011 £000'S	2011/2012 £000'S	2012/2013 £000'S	2013/2014 £000'S	Overall Total £000'S
850	922	855	1,654	2,805	7,086

* The above figures do not include individual small electrical maintenance and repairs funded from school budgets as LMS expenditure made directly by schools from their delegated budgets in relation to electrical maintenance is not available at that level of detail.

Mr Dallat asked the Minister of Education whether he is satisfied that all schools have sufficient and credible documentation in place to defend cases brought against schools for failing to address the individual needs of pupils who leave education without basic skills in literacy and numeracy.
(AQW 37438/11-15)

Mr O'Dowd: The Education (School Development Plans) Regulations (NI) 2010 requires that schools maintain a summary and evaluation of their strategies in areas relating to the needs of pupils including:

- learning, teaching, assessment and the raising of standards of attainment among all pupils, in particular in Communication, Using mathematics and using ICT;
- providing for the special, additional or other individual educational needs of pupils; and
- promoting the health and well-being, child protection, attendance, good behaviour and discipline of pupils.

There are checks in place within the system to ensure schools are complying with the School Development Plans Regulations. These checks are undertaken by the Education and Library Boards. In addition, as part of the school inspection process, the Education and Training Inspectorate will report on the quality of the school development plan and whether it is compliant with the current regulations.

Schools are required to keep and update a formative record on the attendance and achievements of each pupil at the school. Schools are also required to provide an annual report to parents on the educational and other achievements of their child, including their achievement in statutory end of key stage assessments or public examinations.

Lord Morrow asked the Minister of Education, pursuant to AQW 36476/11-15, why there is a planning application submitted for the extension of the current facilities.
(AQW 37483/11-15)

Mr O'Dowd: Tamnamore Learning Centre in Dungannon is part of the Southern Education and Library Board (SELB) Education Otherwise Than At School (EOTAS) provision.

SELB has advised that, in accordance with Departmental guidelines, it aims to provide accommodation and general facilities for young people attending Tamnamore Learning Centre for EOTAS provision to the same standard as any school.

In this context, the Board has identified the need for upgrading of accommodation, car parking and play facilities at the Centre and has sought planning permission for these potential improvements.

I can confirm that any development work is subject to the financial resources available to SELB and that the Board is currently awaiting confirmation of construction estimates and bids for additional capital funding in order to finalise its programme of minor capital works for 2014/15. Any development at Tamnamore Learning Centre will be dependent on the outcome of this process.

Ms Sugden asked the Minister of Education to detail the number of peripatetic teachers currently employed by the North Eastern Education and Library Board; and whether this will be impacted by the amalgamation of Education and Library Boards.
(AQW 37506/11-15)

Mr O'Dowd: The number of peripatetic teachers currently employed by the North Eastern Education and Library Board is 87.

This will not be impacted by the amalgamation of the Education and Library Boards as TUPE and pension protection are included in the draft Education Bill.

Mr McCausland asked the Minister of Education, in relation to review of Sure Start, to detail (i) when the review commenced; (ii) when the review will be concluded; and (ii) who conducted the review.
(AQW 37527/11-15)

Mr O'Dowd: The independent Review of Sure Start commenced in June 2014 and is expected to conclude by end November 2014. The Review is being conducted by RSM McClure Watters (Consulting).

Mr McCausland asked the Minister of Education to detail (i) when Smile Sure Start was established; (ii) the area covered by Smile Sure Start when it was established; and (iii) any extensions to the original area and the dates when these extensions were made.
(AQW 37529/11-15)

Mr O'Dowd: The Smile Sure Start project was established by DHSSPS during 2003/2004 to provide services to the children under the age of 4 and their parents who live within the electoral ward areas of Duncairn, New Lodge, Waterworks and Castleview SOA 1 (Mount Vernon and Shore Crescent) in North Belfast. The catchment area of the project has not changed since its creation.

Mr Weir asked the Minister of Education to detail the schools that are currently classified as being in formal intervention.
(AQW 37567/11-15)

Mr O'Dowd: The schools in formal intervention as at 17 October 2014 are listed below:

School
Dundonald High School
Dunluce School, Bushmills
Edenbrooke Primary School, Belfast
Euston Street Primary School, Belfast
Fleming Fulton School, Belfast
Laurelhill Community College, Lisburn
Monkstown Community School
Movilla High School, Newtownards
Springhill Primary School, Belfast
Tullygally Primary School, Lurgan
Wheatfield Primary School, Belfast

Mr Kinahan asked the Minister of Education how many (i) controlled; and (ii) catholic maintained primary schools have transformed their management status to integrated since the option became available.
(AQW 37605/11-15)

Mr O'Dowd: Since the introduction of the statutory measures contained in the Education Reform (NI) Order 1989, which facilitate the transformation process, a total of 20 controlled primary schools have transformed to integrated status.

To date, no catholic maintained schools have transformed to integrated status.

Mr Easton asked the Minister of Education how much St. Columbanus' College in Bangor has spent on heating in each of the last two years.
(AQW 37658/11-15)

Mr O'Dowd: The information requested is only available for complete Financial Years. St Columbanus' College spent £32,036 on heating in the 2013/14 financial year and £36,863 on heating in the 2012/13 financial year.

Mr Easton asked the Minister of Education how many pupils currently attend St. Columbanus' College in Bangor.
(AQW 37659/11-15)

Mr O'Dowd: The information provided relates to the 2013/14 school census, the 2014/15 school census took place on the 10th October this year, provisional figures will be available in December, finalised figures in February.

There were 601 pupils enrolled in St. Columbanus' College in Bangor in 2013/14.

Source: NI school census

Mr Easton asked the Minister of Education how many teachers are currently employed by St. Columbanus' College in Bangor.
(AQW 37660/11-15)

Mr O'Dowd: In the 2013/14 academic year there were 39 teachers working at St Columbanus' College, with a full-time equivalent of 37.7 teachers.

Department for Employment and Learning

Ms Sugden asked the Minister for Employment and Learning how his Department is working with the higher and further education institutions and other stakeholders to implement an effective process for the Accreditation of Prior Experiential Learning.
(AQW 36821/11-15)

Dr Farry (The Minister for Employment and Learning): My Department is committed to the principle that higher education, and Foundation Degrees in particular, are open to all those who have the ability to benefit from higher education. To help bring this about, we wish to encourage more people, who may have less in the way of formal qualifications, to consider applying for places in higher education on the basis of accredited prior experiential learning.

To this end, in 2010, my Department convened a working group with membership comprised of representatives from; the six further education colleges, Queen's University, University of Ulster, Open University, Foundation Degree Forward, the Alliance of Sector Skills Councils, and the Quality Assurance Agency for Higher Education.

In 2011, the group produced the University and College Accreditation of Prior Experiential Learning Guidelines that were endorsed by the whole sector and that draw upon good practice within the sector and across the UK. Implementation of the guidelines is being reviewed as part of Access to Success, my Department's widening participation strategy for higher education.

In addition, upskilling the existing workforce is a key element of the Skills Strategy for Northern Ireland. It is in this context that my Department commissioned independent research which examined the feasibility and desire to accredit th` existing skills of experienced workers. At a macro level, the research found a range of issues likely to affect the demand for this programme and ultimately the desire from employers to accredit the existing skills of their workers. Following a value for money assessment, it was considered unfeasible to undertake a large scale national accreditation programme to recognise the prior learning of individuals.

At a sectoral level, my Department, in conjunction with the Construction Industry Training Board Northern Ireland, has undertaken a pilot project to examine the capacity to 'qualify the existing workforce' within the construction industry. The pilot exceeded its target, with 500 unqualified construction workers gaining an NVQ Level 2 qualification. My Department has committed to a second phase of the project which aims to qualify a further 1,000 workers to NVQ Level 2 over the next two years.

Mrs Dobson asked the Minister for Employment and Learning for his assessment of the affects on public health and welfare of the provision of recreational courses by Regional Colleges.
(AQW 36921/11-15)

Dr Farry: Under the current strategy for further education in Northern Ireland, Further Education Means Business, the primary purpose of further education colleges is to strengthen and support economic and workforce development and to advance individuals' skills and learning. Colleges are key deliverers of my Department's skills strategy and of the wider economic strategy for Northern Ireland. Colleges also have a role in enhancing social inclusion. While providing individuals with the skills to obtain a job or to progress within employment is one of the best ways to support social inclusion, traditionally colleges have also offered a range of recreational courses.

My Department's curriculum policy for further education has been developed to ensure that through their curriculum colleges achieve an appropriate balance between provision that strengthens economic and workforce development and enhances social cohesion. Around 97% of the Department's funding for colleges' provision at level 3 and below is in respect of courses that lead to professional and technical and academic qualifications on regulated qualifications frameworks. The balance of

funding supports around 18,500 enrolments on courses that are recreational in nature, which is around 21% of all enrolments at level 3 and below.

While colleges offer recreational provision, public health and welfare is not the responsibility of my Department.

Mr Kinahan asked the Minister for Employment and Learning to list the key differences in employment legislation between Northern Ireland and the rest of the United Kingdom.
(AQW 37077/11-15)

Dr Farry: The key differences in employment legislation between Northern Ireland and the rest of the United Kingdom are listed in the table below.

Please note that the table does not deal with matters such as discrimination law and health and safety at work which, although conferring certain employment rights, are not within the remit of my Department.

My Department has been carrying out a review of the employment law framework, which has included consideration of some of the issues where there are currently differences between Northern Ireland and Great Britain. I plan to make an announcement on the outcome of the public consultation shortly.

My Department is also currently taking forward, by way of the Work and Families Bill, provisions to enhance pay and leave entitlements for working parents. The relevant rights will be available, as in Great Britain, from April 2015. The supplied table explains a minor timing issue in relation to these provisions.

Area of employment law where key difference exists	**Great Britain Position (rest of the United Kingdom)**	**Northern Ireland Position**
Pay and leave entitlement for working parents	The Children and Families Act 2014 set in place provision to allow for the introduction of shared parental leave and pay for parents of babies due from April 2015. Regulations are now being prepared, with a view to catering for parents of babies due in April 2015. Some babies may be born as early as December 2014.	The Work and Families Bill, which contains corresponding provisions, recently completed its Committee Stage in the Northern Ireland Assembly. It is anticipated that regulations will be in place before April 2015, though they will not be in place in time to cover the earliest premature births.
Right to accompany a parent to an antenatal appointment. Right to attend a pre-adoption appointment.	The Children and Families Act 2014 facilitated the introduction, from October 2014, a new right for a partner to take unpaid time off work to accompany a woman to an antenatal appointment. Also facilitated are a new right for primary adopters to take paid time off to attend pre-adoption appointments; and for their partners to take unpaid time off to do so.	The Work and Families Bill, which contains corresponding provisions, recently completed its Committee Stage in the Northern Ireland Assembly. It is anticipated that corresponding rights will be available to working parents in Northern Ireland, at the latest, from April 2015.
Period for which an individual must be employed before qualifying for the right to claim unfair dismissal	Two years (from 06/04/2012).	One year.
Annual increase of limits applying to certain employment rights related payments	Amounts re-rated each April in accordance with a formula linked to the percentage change in the Retail Prices Index for the previous year. Rounding is to the nearest £1. For example, from 06/04/14, the maximum compensatory award for unfair dismissal rose from £74,200 to £76,574	Amounts re-rated as soon as practicable in accordance with a formula linked to the percentage change in the Retail Prices Index for the previous year. Rounding is to the nearest £100, £10 or £0.10, depending on the payment concerned. For example, from 14/02/14, the maximum compensatory award for unfair dismissal rose from £74,200 to £76,600.

Area of employment law where key difference exists	Great Britain Position (rest of the United Kingdom)	Northern Ireland Position
Right to request flexible working	Available to all employees (from 30/06/2014). Requests must be dealt with in a reasonable manner.	Available to most parents of children aged under 18 and most carers of adult dependants. Requests must be dealt with in accordance with a statutory process.
Public interest disclosure	From 25/06/2013: ■ a tribunal may adjust an award where an individual making a tribunal claim under the Public Interest Disclosure Order does not demonstrate a reasonable belief that the disclosure was made in the public interest; ■ the definition of 'worker' for the purposes of whistleblowing protections includes certain new contractual arrangements within the NHS; ■ an individual who has suffered a detriment from the actions of co-workers, as a result of blowing the whistle, may bring a claim against the co-workers or the employer.	No comparable provision.
Settlement agreements and termination of employment	From 29/07/2013, all references to "compromise agreements" or "compromise contracts" in relevant legislation became references to "settlement agreements". ACAS has produced a statutory Code of Practice on settlement agreements which explains the term and provides guidance on the new law which concerns the confidentiality of settlement agreement negotiations. Also introduced was a provision concerning confidentiality of negotiations before termination of employment which means that evidence of pre-termination negotiations will be inadmissible in subsequent proceedings	No comparable provision.
Financial penalties against employers in serious breach of employment rights	From 06/04/2014, employment tribunals may order an employer to pay a financial penalty to the Secretary of State where the employer has lost the case; the tribunal concludes that the employer has breached a worker's rights; and that the breach has "one or more aggravating features".	No comparable provision.
'Employee-shareholder' employment status	Under an 'employee shareholder' contract (available from 01/09/2013), an employer must give, or the employee shareholder must receive, shares in the employer's company or employer's parent company. The shares must have a minimum value of £2,000 on receipt. There is no set upper value. In agreeing to employee shareholder status, an employee forfeits certain employment rights.	No comparable provision.

Area of employment law where key difference exists	Great Britain Position (rest of the United Kingdom)	Northern Ireland Position
Reform of the law on TUPE	On 31/01/2014, TUPE provisions were updated as follows. **Service provision changes**: the activities carried out under outsourced or tendered work must be "fundamentally the same" for TUPE to apply. **Changes to terms and conditions** to include: ■ altering contractual terms and conditions; ■ dismissals are no longer automatically unfair because of a change in the workplace location; ■ terms and conditions from collective agreements may be renegotiated after one year provided that, overall, the contract is no less favourable to the employee; ■ in some circumstances, contractual changes arising from new collective agreements agreed by the outgoing employer are not required to be incorporated after a transfer. **Dismissals and redundancies** to include: ■ an employee will be automatically unfairly dismissed if the sole or principal reason for the dismissal is the transfer; ■ redundancy consultation can begin before the transfer if both employers agree. **Employee liability information**: information about transferring employees should be given earlier; **Information and consultation requirements**: businesses with fewer than 10 employees are not required to invite the election of representatives for consultation purposes if no existing arrangements are in place.	No comparable provision.
Consultation period in collective redundancy situations	The minimum consultation period applicable in cases where over 100 employees are to be made redundant was set in 2013 at 45 days (previously 90). Employees on fixed-term contracts which have come to an end are excluded from consultation requirements,	The minimum consultation period applicable in cases where over 100 employees are to be made redundant is 90 days. Employees on fixed-term contracts which have come to an end are not excluded from consultation requirements,
Implementation of new Arbitration Scheme (NI only)	Statutory arbitration is available in cases relating to unfair dismissal and the right to request flexible working.	Since 27/09/2012, statutory arbitration is available in respect of a wide range of employment rights.
Early Conciliation – Referral to Acas for conciliation before claim can be made to tribunal	From 06/05/2014, most potential tribunal claimants must notify ACAS of their potential claim in order to be allowed to access the employment tribunal system. The purpose is to facilitate attempts to conciliate the dispute.	No comparable provision.

Area of employment law where key difference exists	Great Britain Position (rest of the United Kingdom)	Northern Ireland Position
Employment tribunals	Employment tribunal rules of procedure set out procedural requirements in relation to employment tribunals. No body exists which corresponds to the Fair Employment Tribunal, although employment tribunals do have some comparable powers. Separate procedures govern the Employment Appeal Tribunal From 06/04/2012, powers for employment judges to sit alone, an increased costs and deposits cap, and new rules on witness expenses have been in place. From 29/07/2012, employment tribunals require the payment of a fee to enter and use the system. Substantially revised rules of procedure have been in place from the same date.	Industrial tribunal rules of procedure set out procedural requirements in relation to industrial tribunals. Separate rules do likewise in relation to the Fair Employment Tribunal. There is no Northern Ireland equivalent of the Employment Appeal Tribunal. Appeals are heard by the Court of Appeal. There have been no substantive amendments to industrial tribunal or Fair Employment Tribunal rules since 2005. A fee is not required to enter or use the Northern Ireland tribunal system.
Statutory Dispute Resolution	Employers and employees are advised to follow a Code of Practice when facing a disciplinary or dismissal situation or a grievance. Failure to observe the procedures can lead to tribunal adjusting a relevant award but up to 25%.	Employers and employees are advised to follow a Code of Practice when facing a disciplinary or dismissal situation or a grievance. Failure to observe the procedures can lead to tribunal adjusting a relevant award but up to 50%. In addition, employers and employees are required to follow a statutory procedure in a disciplinary or dismissal situation. Failure to do so can lead to a finding that a dismissal was automatically unfair.

Mr McKay asked the Minister for Employment and Learning what package his Department will put in place to support workers from JTI Gallaher.
(AQW 37197/11-15)

Dr Farry: It is deeply regrettable that Japan Tobacco International (JTI) is proposing to close its production facility at Gallaher's, Lisnafillan by 2017/18, with the potential loss of 877 jobs. Your constituency of North Antrim will be one of several affected by the announcement.

As you are aware the Executive has appointed Minister Foster and me to lead on their response to this closure. To date my officials have been in contact with the local senior management of JTI Gallahers in Ballymena and have advised them of the services available through my Department for those who are working in the plant and may become redundant when it closes.

As you would expect in the immediate aftermath of the announcement the management's focus is on working with their staff and the Unions to plan the way ahead. I will ensure that over the coming months, my Department will work closely with the company to manage the closure process and ensure that the best advice, help and support are offered to all those affected employees at the appropriate time.

This can include access to my Department's Redundancy Advice Service where the Employment Service will work in partnership with the Social Security Agency, Further Education Colleges, HMRC and other agencies. This may centre on alternative job opportunities, mentoring, access to training courses, entrepreneurship, education opportunities and careers advice; as well as a range of other issues such as benefits and taxation for JTI Gallaher employees. This service is always delivered free of charge to the company and employees facing redundancy.

In direct response my staff in Ballymena Jobs and Benefits Office have already identified a dedicated team to provide immediate advice and support should any of the employees facing redundancy require immediate assistance. This could include guidance on initiatives and programmes, help with jobsearch, job clubs, writing CVs, job application forms, preparing for interviews, careers guidance or assistance with travel costs for interviews.

The further education sector has a key role in providing assistance to individual employees in particular the Northern Regional College (NRC), with support from the five other colleges. My officials and I will ensure that NRC maintains regular contact with JTI Gallaher's so that employees are made aware of the assistance that the colleges can provide.

As I am sure you are aware, NRC is a centre of excellence in engineering, and has worked with companies such as JTI Gallaher to provide a range of courses to their employees. The college's business support unit has also had experience in supporting previous redundancies in their area including FG Wilson.

I have also asked my officials to investigate the potential use of the European Globalisation Adjustment Fund through the Department for Work and Pensions (all requests for this Fund must be made by a member state government). This Fund can provide support to people losing their jobs as a result of major structural changes in world trade patterns due to globalisation.

In addition, I am the chair of the Advanced Manufacturing and Engineering Services Working Group, a group in which JTI Gallaher's has been represented since its inception. At a meeting of the group on Tuesday 14th October I addressed the Group specifically on the closure and job losses. I asked members to consider if any of their current or future vacancies will be suitable for any of the highly skilled JTI Gallaher staff.

I will also call upon the wider engineering sector to consider the JTI Gallaher workforce in any current or future job opportunities that they will have.

Mr Copeland asked the Minister for Employment and Learning to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37221/11-15)

Dr Farry: The level of reserves in each of the Department of Employment and Learning's Arm's Length Bodies (ALBs) is detailed in the following table; ALBs did not have the information available as of 1 October so the closest date to this has been provided. A bracket denotes a deficit.

	Further Education Colleges 31/07/14 £'000	**Stranmillis University College 30/09/14 £'000**	**Ulster Supported Employment Limited 01/10/14 £'000**	**CITB-Construction Skills Northern Ireland 31/08/14 £'000**	**Labour Relations Agency 31/03/14 £'000**	**Total £'000**
Income and expenditure reserve	35,504	6,121	(484)	1,5071	314	44,262
Pension reserve	(55,669)	(4,081)	N/A	N/A	N/A	(61,050)
Revaluation reserve	267,707	N/A	24	83	43	267,857

There are specific accounting rules around the use of revaluation reserves, these are held after a revaluation of assets to fair value and therefore cannot be utilised for any other purpose. For all Further Education Colleges the pension deficit is higher than the income & expenditure reserves. With Stranmillis all reserves are fully committed to capital maintenance programmes.

CITB reserve includes pension reserves that cannot be separated out

Mr Flanagan asked the Minister for Employment and Learning to detail the number of graduates that have taken part in (i) the Youth Employment Scheme; and (ii) Steps to Work.
(AQW 37234/11-15)

Dr Farry: Youth Employment Scheme

As the Youth Employment Scheme is not specifically designed for young graduates my Department does not routinely gather data detailing the number of graduates that have participated. I am therefore unable to provide this information for the Youth Employment Scheme.

Steps to Work

Steps to Work (StW), has been my Departments main adult return to work programme since its introduction in September 2008. StW provides a flexible, individually tailored programme of support to help the unemployed

and economically inactive to find employment irrespective of their level of educational attainment.

Detail on the qualifications held by those participating on StW is not systematically captured therefore; I am unable to advise you on the actual number of graduates who have taken part in the overall StW programme.

In January 2010, in response to an increase in graduate unemployed the StW programme was flexed and dedicated provision for graduates was introduced. This provision was known as the Graduate Acceleration Programme (GAP). Between January 2010 and June 2014 a total of 905 graduates availed of GAP through the StW programme.

Mr Agnew asked the Minister for Employment and Learning (i) for a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37300/11-15)

Dr Farry: The Department did not submit bids in the October 2014 monitoring round. The Department continues to manage within its allocated budget for 2014-15.

Mrs Dobson asked the Minister for Employment and Learning whether the Minister of Agriculture and Rural Development has contacted him regarding a proposal for College of Agriculture, Food and Rural Enterprise staff to deliver the Level 2 Agricultural Qualification in Further Educational College buildings.
(AQW 37312/11-15)

Dr Farry: The Minister of Agriculture and Rural Development has not contacted me regarding any proposal for staff from the College of Agriculture, Food and Rural Enterprise (CAFRE) to deliver this qualification in further education college buildings.

Further education colleges are responsible for setting their own curriculum and deliver a range of courses including agriculture-related provision at level 2. I would suggest that CAFRE liaises directly with colleges regarding the use of their facilities to deliver the level 2 agricultural qualification.

Mr Campbell asked the Minister for Employment and Learning whether he will consider the promotion of role model excellence as part of a drive to ensure that young people from working class areas are able to avail of further and higher education facilities in their own communities.
(AQW 37339/11-15)

Dr Farry: My Department is committed to widening access and promoting educational opportunities for all individuals across Northern Ireland.

Further education (FE) colleges offer a variety of courses throughout their main campuses and in a significant number of community outreach centres. A range of initiatives already exist in colleges which use the concept of role models to encourage young people from all backgrounds and areas to avail of FE.

While my Department sets the strategic direction for the FE sector, individual colleges are responsible for marketing their own provision to potential students. Nonetheless my Department will continue to encourage colleges to employ a broad range of measures, including the use of role models, to promote participation in FE for all.

Supporting students from disadvantaged backgrounds into and through higher education is a key objective of my Department. In September 2012, I launched Access to Success, my Department's regional strategy to widen participation in higher education by students from disadvantaged backgrounds. The strategy has a strong focus 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.

The promotion of role model excellence plays a key part in the delivery of many elements of Access to Success. The strategy sets out a programme which includes Reach Higher, a single, centralised and co-ordinated higher education awareness and aspiration raising campaign which aims to better communicate the benefits of higher education to under-represented sections of the community, targeting those individuals who have experienced multiple disadvantages. The current campaign is making use of multiple media channels including television, social media and outdoor advertising and focuses on two "real life" student role models who have overcome significant barriers to their participation in higher education and who are progressing well in their chosen higher education courses. The first is a young disadvantaged male student from a foster care background. The other is an older female returner with children who left school with no qualifications and who, having returned to study, has obtained a university place. There are plans to incorporate additional role-model students in future advertisements.

My Department is simultaneously delivering a campaign to promote both the benefits of Foundation degrees and their availability to local communities across Northern Ireland through the six FE Regional Colleges. This campaign makes extensive use of role models in the form of student case studies. These case studies detail the barriers experienced by actual Foundation degree students and how the students overcame these hurdles to gain access to and achieve success in their chosen qualification.

In addition, role models in the form of student mentors make a significant contribution to "outreach" programmes such as the University of Ulster's Step-Up programme and the Discovering Queen's programme. These programmes are delivered by the universities in local schools and communities to raise aspirations and educational attainment among students from disadvantaged backgrounds to encourage and support their progression to higher education.

Ms Sugden asked the Minister for Employment and Learning what support is available to university students diagnosed with dyslexia.
(AQW 37355/11-15)

Dr Farry: Supporting students with learning difficulties into and through higher education is a key objective of my Department. In September 2012 I launched Access to Success, my Department's regional strategy to widen participation in higher

education by disadvantaged students, including those with learning difficulties. The strategy has a strong focus 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.

When a student with a learning difficulty such as dyslexia applies for a Higher Education course they are encouraged to apply for Disabled Students Allowances (DSAs) to help cover the extra costs of any support they may require throughout their course as a direct result of their specific condition. DSAs can help with the cost of non-medical support providers, major items of specialist equipment, travel and other costs. A student can apply at any time before or during their course, and the amount of assistance does not depend on their income or their family income. This allowance does not have to be repaid.

Through DSAs my Department also provides funding to meet the administration costs of a Register of Support Providers in each of the two Northern Ireland universities. The Register of Support Providers is a unique service which provides one to one personal support to disabled students registered on recognised higher education courses at any of the colleges or universities in Northern Ireland. The Register maintains and develops a resource of freelance professional and non-professional support providers, who act in specialist roles to support disabled students. The student's support needs are assessed, and the student is "matched" with the appropriate support provider(s). Support providers include audio-typists, note-takers, dyslexia coaches, study skills mentors, sign language interpreters and campus assistants.

Mr McKay asked the Minister for Employment and Learning what contact they have had with the European Commission regarding the retraining of JTI Gallaher employees.
(AQW 37397/11-15)

Dr Farry: The job losses announced by JTI Gallaher are extremely regrettable, not just for those who have lost their jobs but for their families, the community and the economy as a whole. My Department will explore every opportunity to assist redundant workers. My officials have been in contact with the Commission Office in Belfast and the European Commission in Brussels to discuss the potential for a funding application under the European Globalisation Adjustment Fund (EGF) to support opportunities for any workers made redundant. This fund can be used to support workers made redundant as a result of major structural changes in world trade patterns due to globalisation and global financial and economic crises.

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 and the Department for Business, Innovation and Skills. It is important to note that the UK Government has not to date made any applications to the Fund.

Mr G Robinson asked the Minister for Employment and Learning, given the recent successes in East Londonderry, whether he will continue to fund the Youth Opportunities Scheme to maximise the skills development and experience of young people.
(AQW 37561/11-15)

Dr Farry: There is no Youth Opportunities Scheme. However, I introduced the Youth Employment Scheme in July 2012 as part of my Department's response to high levels of youth unemployment. Funding for the scheme is due to end on 31 March 2015. There has been no decision on delivery beyond this date.

Mr Flanagan asked the Minister for Employment and Learning for his assessment of the appropriateness of providing student support payments on a tri-annual basis; and whether he will change the frequency of when students receive support payments.
(AQW 37594/11-15)

Dr Farry: For higher education students the frequency of standard student support payments is designed to align with the beginning of each of the three terms of the academic year. I believe this payment model is appropriately flexible as it allows students to meet the up-front costs associated with each term and also to plan ahead accordingly. Smaller and more frequent payments could leave students struggling to meet certain up-front costs which they face at the beginning of term, for example for their accommodation and course books and equipment.

For further education students, the Further Education Awards are paid on the same tri-annual basis for the same reasons. The frequency of payments from the Hardship Funds, the other main source of support for further education students, varies based on individual circumstances of need as assessed by the colleges.

I do not intend to change the frequency of when students receive support payments.

Department of Enterprise, Trade and Investment

Mr McKay asked the Minister of Enterprise, Trade and Investment what action she is taking to prevent the possibility of fracking occuring in North Antrim.
(AQW 36307/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Rathlin Energy Limited's Work Programme as agreed with my Department under Petroleum Licence PL3/10 is based on exploration for conventional oil and gas targets, using industry standard techniques.

Neither Rathlin Energy Limited nor any other company have proposed using High Volume Hydraulic Fracturing (HVHF) in North Antrim.

I have already stated that I consider the potential use of HVHF in Northern Ireland to be novel and controversial and as such a matter for the Northern Ireland Executive to decide on.

Mr Boylan asked the Minister of Enterprise, Trade and Investment to detail the amount that Invest NI has invested in the Newry and Armagh constituency to support (i) tourism projects; (ii) capital investment schemes; and (iii) hotels and bed and breakfasts, in each year since 2002.
(AQW 36713/11-15)

Mrs Foster: The tables below detail the amount of assistance Invest NI has offered to customers in the Newry and Armagh constituency to support (i) tourism projects; (ii) capital investment schemes; and (iii) hotels and bed and breakfasts, in each year since 2002.

(i) **Invest NI Assistance Offered to Tourism Projects within Newry & Armagh Parliamentary Constituency (2002-03 to 2013-14)**

Year	Assistance Offered £
2002-03	-
2003-04	1,000
2004-05	-
2005-06	969
2006-07	-
2007-08	-
2008-09	6,000
2009-10	17,850
2010-11	-
2011-12	22,392
2012-13	18,617
2013-14	1,618

Notes:

1. Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

(ii) Invest NI Capital Grant Offered to Projects within Newry & Armagh Parliamentary Constituency (2002-03 To 2013-14)

Year	Assistance Offered £
2002-03	230,405
2003-04	217,996
2004-05	57,261
2005-06	426,488
2006-07	411,744
2007-08	3,254,311
2008-09	305,141
2009-10	596,587
2010-11	213,544
2011-12	375,870
2012-13	102,863
2013-14	536,570

Notes:

2. Information relates only to those projects that were offered Capital Grant support.
3. 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.

(iii) **Invest NI Assistance Offered to Hotels And Bed & Breakfasts within Newry & Armagh Parliamentary Constituency (2002-03 To 2013-14)**

Year	Assistance Offered £
2002-03	-
2003-04	1,000
2004-05	-
2005-06	-
2006-07	-
2007-08	-
2008-09	-
2009-10	11,850
2010-11	-
2011-12	2,228
2012-13	18,617
2013-14	1,618

Notes:

4. Contains assistance offered to clients within the Standard Industrial Classification of 55.10.
5. 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.

Examples of tourism and hotel businesses supported in the area include the Armagh City Hotel, Charlemont Arms Hotel, Formula Karting Ltd and the Kernan Equestrian Centre.

Examples of businesses undertaking capital investment projects in the area include Norbrook Labs, Independent News & Media, Glen Electric and JF McKenna Ltd.

Mr Boylan asked the Minister of Enterprise, Trade and Investment what work her Department has undertaken to identify the obstacles to trade and investment in the Armagh city area; and to outline the findings of these research initiatives.
(AQW 36714/11-15)

Mrs Foster: My Department carries out research into ways to address obstacles to trade and investment for Northern Ireland as a whole, which includes the Armagh city area.

Research is currently being undertaken to provide an "Update of the Economic Impact of Corporation Tax". Should these powers be devolved to the NI Executive, a 12.5% rate of tax could provide a major stimulus to investment across all parts of Northern Ireland. This work will assess the impact that recent changes to the UK main tax rate and the latest cost estimates would have on the original 58,000 jobs estimate, and is expected to be completed in November 2014.

The results from the latest InterTradeIreland Business Monitor for Q2 2014 show that a similar proportion of businesses based in County Armagh are trading cross-border or exporting to GB compared with the Northern Ireland average. These Armagh businesses also face similar barriers to exporting such a lack of resources, either financial or time. DETI research into "Growing and Diversifying the Export Base" is looking at those markets that offer the greatest potential for local companies to secure significant growth in export sales and ways government can best support them in doing so. This work is expected to be completed in November 2014.

The IntertradeIreland Business Monitor also demonstrated that Armagh businesses cite costs as their largest issue in line with firms in Northern Ireland. Indeed, almost twice as many businesses in County Armagh (43%) cite energy costs as a 'large issue' compared to the average (24%). My Department's work into the "Cost of Doing Business in Northern Ireland" considers how the local cost base compares against elsewhere and identifies particular issues facing businesses. This research is expected to be completed in December 2014.

InvestNI support is also available for businesses throughout NI. For the Armagh District Council area throughout 2013-14 this has included financial assistance offers to 103 businesses accumulating to more than £2 million. Seven businesses from the area also participated in a total of 13 overseas trade missions and exhibitions in 2013-14.

Going forward, local councils will have more powers to boost trade and investment under the transfer of functions from 1 April 2015. Invest NI support being transferred under RPA includes:

- Enterprise awareness (Go for It campaign);
- Start a business activity;
- Social entrepreneurship, and
- Start-up activity for underrepresented groups.

The current budget for the Invest NI programmes in the transferring policy areas is £3.5million, which will move to councils along with funding for new planning and urban regeneration to the new councils. A comprehensive programme of engagement has taken place between my Department, Invest NI and the Councils to ensure the transfer of functions takes place smoothly and efficiently. After April 2015 it will be the responsibility of local councils to determine the schemes they will establish to deliver those functions which are transferring.

Mr Boylan asked the Minister of Enterprise, Trade and Investment to outline the efforts of InvestNI to secure inward investment in the Armagh area, in each of the last five years.
(AQW 36718/11-15)

Mrs Foster: Invest NI has an excellent track record of attracting high quality Foreign Direct Investment (FDI) to Northern Ireland, with 4,760 jobs promoted by externally-owned companies in 2013/14 alone. I am firmly of the opinion that these jobs benefit the whole of Northern Ireland, not just the location in which the companies are based.

In order to compete internationally, Invest NI promotes Northern Ireland as a whole. To promote parts of Northern Ireland individually would dilute the proposition in what is a very competitive market for FDI. Furthermore, any attempt to direct investors to specific locations that do not meet their needs would jeopardise the chances of winning the investment for Northern Ireland. This point was made quite clearly in the Independent Review of Economic Policy.

In deciding upon a location in which to invest, a company will typically look at areas with clusters of existing investors in the same business sector (Invest NI's key target sectors being ICT/software, professional services and financial services); universities and colleges that offer courses relating to that sector; suitable, available property; and the availability of suitable skilled potential workforce, typically around population centres.

Areas in which these desired features do not exist or are limited are unlikely to attract the attention of potential investors to visit or locate in the area. The responsibility for creating this favourable landscape falls across Executive departments and local councils.

Invest NI is committed to working with local councils on how to develop a sales proposition that shows the strength and opportunities within their area. The agency has also developed an "FDI app" and a "District Council App", which will help present a snapshot of the benefits of setting up in Northern Ireland to potential investors. Armagh District Council has indicated that it wishes to be involved and Invest NI is working with it to develop downloadable mobile applications which will form a promotional toolkit highlighting the Council's attractiveness as a potential investment location.

It should be noted that attracting FDI to Northern Ireland is not the only way that Invest NI is working to improve the employment prospects of local areas. Between 2008/09 and 2012/13, Invest NI made 722 offers of support to companies in the Armagh District Council Area, supporting investment commitments of over £45 million. This activity promoted almost 700 new jobs and more than 400 locally-owned business start ups.

Mr Allister asked the Minister of Enterprise, Trade and Investment to outline the process whereby funding was obtained through the Northern Ireland Tourist Board and Tourism Ireland for the Frampton/Martinez fight, including details of how the approach for funding was made and by whom.
(AQW 36998/11-15)

Mrs Foster: OFMdFM was approached by Cyclone Promotions regarding proposals for the Titanic Showdown event. The Head of the Civil Service asked DETI to meet with the company and consider its proposals. DETI and Northern Ireland Tourist Board officials then met with Cyclone Promotions.

The Department then asked the Northern Ireland Tourist Board and Tourism Ireland to see what sponsorship opportunities there may be and to engage directly with Cyclone Promotions.

Mr Kinahan asked the Minister of Enterprise, Trade and Investment how her Department, or any of its arm's-length bodies, have used 0800 telephone numbers; and to detail (i) how many calls have been made; and (ii) how much revenue was raised, in each of the last five years.
(AQW 37036/11-15)

Mrs Foster:

(i) HSENI and InvestNI use 0800 to provide their customers with advice.

Financial Year	Number of Calls Made
2009/10	11,034
2010/11	8,634
2011/12	8,667
2012/13	12,921
2013/14	16,282

(ii) The Department does not raise revenue from the use of a 0800 telephone number.

Mr Hazzard asked the Minister of Enterprise, Trade and Investment to detail (i) what potential exists in the Mournes to harness geothermal energy; and (ii) what steps she intends to take to enable widespread uptake of geothermal energy.
(AQW 37040/11-15)

Mrs Foster:

(i) Some of the granite rocks that form the Mourne Mountains contain relatively high concentrations of radiogenic elements and may be called High Heat Production (HHP) granites. At depths of about 4 kilometres these rocks may be hot enough to produce electricity via an Enhanced Geothermal System (EGS). However, EGS in granites is not yet commercially viable, with only a handful of demonstration projects worldwide. Research is continuing to establish whether the HHP granites extend to suitable depths below the Mournes and to evaluate their future potential for EGS.

(ii) Geothermal energy is already incentivised under the Northern Ireland Renewables Obligation for the generation of electricity. Northern Ireland is much more suited to harnessing shallow geothermal resources for heat which is incentivised through the Northern Ireland Renewable Heat Incentive.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the projects which benefited from the Tourism Events Fund in each of the last three years, including the amounts awarded to each project.
(AQW 37050/11-15)

Mrs Foster:

2014/15:

Scheme:	Project Name:	Award:
Sponsorship	14th Belfast Film Festival	£21,000
Sponsorship	Cookstown 100	£12,000
Sponsorship	The Great Ulster Pub Week	£15,000
Sponsorship	Cathedral Quarter Arts Festival	£27,000
Sponsorship	City of Derry Jazz and Big Band Festival	£15,000
Sponsorship	Festival of Fools 2014	£30,000
Sponsorship	Tandragee 100 National Motorcycle Road Races	£6,000
Sponsorship	Shanes Castle Vintage Steam Fair	£15,000
Sponsorship	Bread Festival	£18,000
Sponsorship	Garden Show Ireland	£18,000
Sponsorship	Curadmir Ulster Cycle	£15,000
Sponsorship	Rathlin Sound Maritime Festival	£20,000
Sponsorship	Carnivale of Colours 2014	£30,000
Sponsorship	Northern Ireland Countryside Festival	£6,000
Sponsorship	Solstice at Dunluce	£12,500
Sponsorship	Bangor Seashore Festival	£18,000
Sponsorship	An Creagán Mid Summer Festival	£13,000
Sponsorship	Open House Festival 2014	£7,500
Sponsorship	Music City!	£15,000

Scheme:	Project Name:	Award:
Sponsorship	F18 World Championship	£6,000
Sponsorship	Irish Game Fair & Flavour Fine Food Festival	£30,000
Sponsorship	Dalriada Festival	£30,000
Sponsorship	American D Day Commemoration 2014	£6,000
Sponsorship	Ulster Fleadh	£6,000
Sponsorship	Hughes Insurance Foyle Cup	£15,000
Sponsorship	Race of Legends	£20,000
Sponsorship	Open House Bangor 2014	£12,500
Sponsorship	Tanglewood Music & Arts Festival	£12,000
Sponsorship	Maiden City Festival 2014	£8,750
Sponsorship	7 Hills Blues Fest	£24,000
Sponsorship	Festival of Flight	£30,000
Sponsorship	Tennent's Vital 2014	£24,000
Sponsorship	Ulster Rally	£15,400
Sponsorship	Ultimate Strongman	£10,000
Sponsorship	Hilden Beer and Music Festival	£6,000
Sponsorship	Sunflowerfest 2014	£6,000
Sponsorship	Lap the Lough	£6,000
Sponsorship	Belfast Mela 2014	£30,000
Sponsorship	Walled City Tattoo	£30,000
Sponsorship	Bluegrass Music Festival	£15,000
Sponsorship	Ballynahinch Harvest and County Living Festival	£18,000
Sponsorship	Northern Ireland Festival of Speed	£15,000
Sponsorship	Hillsborough International Oyster Festival 2014	£24,000
Sponsorship	The Belfast Tattoo	£30,000
Sponsorship	On Home Ground - Seamus Heaney Festival	£15,000
Sponsorship	NI International Airshow 2014	£21,000
Sponsorship	CultureTECH Festival 2014	£7,200
Sponsorship	Made In Belfast Carnival	£6,000
Sponsorship	Culture Night Belfast	£30,000
Sponsorship	Disability Pride	£15,000
Sponsorship	The Sloane Chocolate & Fine Food Festival	£9,000
Sponsorship	Belfast Restaurant Week 2014	£21,000
Sponsorship	City of Derry International Choral Festival	£15,000
Sponsorship	Food and Drink Show NI	£24,000
Sponsorship	Halloween Carnival	£18,000
Sponsorship	Cinemagic	£22,000
Sponsorship	Georgian Day Armagh 2014	£24,000
Sponsorship	Out to Lunch Festival	£18,000
Sponsorship	Festival of Football	£6,000
Sponsorship	Belfast Children's Festival 2015	£22,600

Scheme:	Project Name:	Award:
Sponsorship	St Patrick's Festival 2015	£30,000
Sponsorship	St Patrick's Festival Armagh	£30,000
Sponsorship	Féile an Earraigh 2015	£30,000
International	The Circuit of Ireland Rally 2014	£150,000
International	Belfast Welcomes The Giro D'Italia	£70,000
International	Belfast Titanic Maritime Festival	£30,000
International	Foyle Maritime Festival	£250,000
International	The Northern Ireland Open Challenge	£108,000
International	the MAC International	£44,000
International	International North West 200	£160,000
International	August Feile	£130,000
International	Ulster Bank Belfast Festival at Queens	£175,000
International	Ulster Grand Prix	£115,000
International	Dale Farm Milk Cup	£63,000
International	Happy Days International Beckett Festival	£167,200
International	MTV Crashes	£200,000
	Total:	**£2,769,650**

2013/14:

Fund:	Event Name:	Award:
International	Feile25	£90,000
International	The Northern Ireland Open Challenge 2013	£99,500
International	Warhol @ The MAC	£50,000
International	International Ulster Grand Prix	£60,000
International	Foyle Cup 2013	£10,000
International	Northern Ireland Milk Cup	£25,000
International	Belfast Titanic Maritime Festival	£50,000
International	Happy Days - Enniskillen International Beckett Festival	£90,000
International	Ulster Bank Belfast Festival at Queen's	£60,000
International	International North West 200	£70,000
International	Return of Colmcille	£166,500
International	Fleadh Cheoil	£167,000
International	Walled City Tattoo	£50,000
International	Turner Prize	£166,500
International	Lumiere	£200,000
National	13th Annual Belfast Film Festival	£10,000
National	20th William Kennedy Piping Festival 2013	£5,000
National	22nd Bluegrass Music Festival	£10,000
National	Banks of the Foyle Halloween Carnival 2013	£10,000
National	Belfast Children's Festival	£5,000
National	Belfast Mela 2013	£15,000

Fund:	Event Name:	Award:
National	Belfast Photo Festival	£5,000
National	Culture Night Belfast 2013	£15,000
National	Dalriada Festival	£15,000
National	Easter Stages Rally 2013	£30,000
National	Feile an Earraigh	£15,000
National	Festival of Flight	£30,000
National	Festival of Fools - Ten Years of Magnificent Folly	£15,000
National	Flavours of The Foyle Seafood Festival	£15,000
National	Fleadh Uladh 2013	£5,000
National	Foundation of Belfast	£5,000
National	Four Centuries of Song - Columba Canticles	£10,000
National	Garden Show Ireland	£20,000
National	Georgian Day, Armagh	£10,000
National	Glasgowbury Music Festival 2013	£15,000
National	Hillsborough International Oyster Festival	£20,000
National	International Bread Festival	£15,000
National	Maiden City Festival	£15,000
National	Mid Antrim 150	£5,000
National	Mount Stewart “Treeluminations”	£15,000
National	NI International Airshow 2013	£10,000
National	Northern Ireland Countryside Festival	£15,000
National	Open House Festival	£10,000
National	Saint Patrick’s Festival Armagh	£20,000
National	The Belfast Tattoo	£30,000
National	The Cathedral Quarter Arts Festival	£15,000
National	The Out to Lunch Arts Festival	£10,000
National	The Race of Legends 2013	£15,000
National	Ulster Rally 2013	£5,000
	Total:	**£1,814,500**

2012/13:

Fund:	Event Name:	Grant Awarded:
National	14th Annual International Guinness Blues On The Bay Festival	£15,000
National	21st Bluegrass Music Festival	£15,000
National	Armagh International Road Race	£10,000
National	Banks of the Foyle Halloween Carnival 2012	£20,000
National	Belfast Children’s Festival 2013	£10,000
National	Belfast Mela 2012	£20,000
National	Carnivale of Colours	£10,000
National	Cathedral Quarter Arts Festival	£25,000
National	Celtic Chrono	£10,000

Fund:	Event Name:	Grant Awarded:
National	Clogher Valley Show 2012	£10,000
National	Culture Night Belfast 2012	£15,000
National	Feiile an Earraigh 2013	£30,000
National	Festival of Fools 2012	£20,000
National	Festival of Speed Maze of Long Kesh	£22,000
National	Garden Show Ireland	£30,000
National	Georgian Christmas, Armagh	£15,000
National	Glasgowbury Music Festival 2012	£30,000
National	Hillsborough International Oyster Festival	£30,000
National	Lap The Lough	£15,000
National	Maiden City Festival	£15,000
National	NI International Airshow 2012	£10,000
National	North Atlantic Fiddle Convention	£15,000
National	Olympic Torch Comes To Town Programme	£30,000
National	One Cool Day	£20,000
National	Open House Festival	£30,000
National	Out to Lunch Arts Festival	£15,000
National	Portrush Regatta	£20,000
National	Race of Legends 2012	£25,000
National	Requiem for the Lost Souls of the Titanic	£15,500
National	Saint Patrick's Festival	£20,000
National	Summer Madness	£5,000
National	Sunflowerfest	£10,000
National	The Coca Cola Cinemagic International Film And Television Festival for Young People	£30,000
National	The Galgorm Castle Northern Ireland PGA EuroPro Open 2011	£15,000
National	The MAC's Inaugural Visual Art Exhibition	£20,000
National	The Northern Ireland Countryside Festival	£30,000
National	The Titanic Boys	£20,000
National	Titanic - the Musical	£12,000
National	Titanic...Our Stories	£20,000
National	Ulster Festival of Art and Design	£10,000
National	Ulster Rally 2012	£15,000
International	August Feile	£70,000
International	Circuit of Ireland Rally 2012	£70,000
International	Dalriada Festival	£20,000
International	Foyle Cup	£20,000
International	Great Game Fairs of Ireland (Inc the Irish Game Fair and the Ballywalter Game & Country Living Fair)	£30,000
International	Happy Days - International Beckett Festival	£90,000
International	Northern Ireland Milk Cup International Youth Football Tournament	£35,000

Fund:	Event Name:	Grant Awarded:
International	Relentless International North West 200	£90,000
International	The International Ulster Grand Prix	£85,000
International	Titanic Festival	£1,400,000
International	Peace One Day	£137,162
Internatioanl	Land of Giants	£150,000
International	Peace Camp	£172,217
International	Clipper	£400,000
International	Giant's Causeway Flags	£74,954
International	Belfast Festival at Queens	£250,000
	Total:	**£3,848,833**

Mr Easton asked the Minister of Enterprise, Trade and Investment for an update on the proposed Multi-Function Centre for Kilcooley.
(AQW 37074/11-15)

Mrs Foster: Following our meeting with representatives of the Kilcooley Community Forum on 7th April, it was agreed that Invest NI should, as an immediate action, meet with the Department of Social Development (DSD) in order to better understand the DSD position in respect of the proposed Multi Function Centre. This meeting took place on 16th April when DSD advised that on completion of the project's economic appraisal, if a potential viable project emerged, DSD would work with the Forum to take the project forward to other potential funders.

Invest NI arranged a follow up meeting on 3rd June with the Forum representatives, DSD was also in attendance. The purpose of the meeting was for DSD to restate the position in respect of the Multi Function Centre, to gain an update on potential new developments from the Forum representatives, and for Invest NI to reflect on potential support around social enterprise and youth entrepreneurship. Interest in the latter was linked to the existing youth programme in the area. Follow up correspondence from Invest NI to the Partnership representatives restated the potential support from Invest NI.

DSD have advised that the economic appraisal, funded by DSD and North Down Borough Council, was completed recently and is currently being considered by DSD economists on a without prejudice basis. The appraisal identifies as its preferred option a facility comprising retail, leisure, commercial, health and community elements, to be taken forward on a phased basis at an initial estimated cost of £5.2million and an eventual overall cost of around £6.2million. Given the scale of the proposal it would require a cocktail of funding from a number of agencies which have yet to be identified.

In respect of wider engagement with groups in the Kilcooley area, it is encouraging that the Kilcooley Women's Centre is participating on Invest NI's Social Entrepreneurship Programme. It joined the programme in June and is investigating social enterprise ideas for the following areas:

- Childcare
- Retail / Post Office
- Catering
- Training Provision

The Centre's application reflected a demand for affordable childcare in the area, and also that they would be considering the other elements should the proposed Multi Function Centre materialise.

Mr Kinahan asked the Minister of Enterprise, Trade and Investment whether her Department has commenced a scoping paper on small and medium sized businesses.
(AQW 37079/11-15)

Mrs Foster: My Department and Invest Northern Ireland regularly undertake a wide range of measures which relate to our small and medium sized businesses. However at this time my Department has not commenced any scoping paper specifically relating to small and medium sized businesses.

However, some of the previous research that has been conducted by the Department does consider SMEs. For example, the recent publication 'Measuring Northern Ireland's High Growth Firms: 1998 – 2013' provides a breakdown on high growth firms by business size. In addition, the 'SFA Evaluation 2004-2011' publication provided findings by firm size.

Mrs Dobson asked the Minister of Enterprise, Trade and Investment what steps her Department will take to improve employment prospects for older people.
(AQW 37091/11-15)

Mrs Foster: Taking action to support economic growth and employment creation is the responsibility of the whole Executive. The Northern Ireland Economic Strategy contains a number of commitments, across all Departments, which aim to rebalance our economy and create jobs, wealth and prosperity for all.

The Economic Strategy recognises the importance of both increasing employment to ensure there are accessible employment opportunities and ensuring that people are equipped with the skills to be able to avail of these opportunities.

That is why one of the key themes of the Economic Strategy is to improve the skills and employability of the entire workforce.

In relation to older people specifically, I recognise that as people are living longer it is important that they have the opportunity to continue working, should they wish to do so.

For the May to July 2014 period, the unemployment rate for people aged 50 and over was 3.6%, well below the rate for all people aged 16+ (6.6%).

However, economic inactivity for those aged 50 and over is 60.9%, well above the level for all people aged 16 and over (39.4%).

Minister Farry and I are currently developing a Strategy to Tackle Economic Inactivity. The Strategic Framework to Tackle Economic Inactivity in Northern Ireland, published earlier this year, recognises that older people form one of the key inactive groups in Northern Ireland. However it also recognises that some forms of economic inactivity are not problematic. The inactivity levels for those aged 50 and over will include those people who avail of early retirement or who choose not to actively seek employment at the current time.

For those who do wish to work, we propose to put in place measures to highlight and reward positive practices in the workplace and address issues of labour market disadvantage that can often limit the engagement of older workers.

One of the proposals outlined in the Strategic Framework document is to introduce a public awareness campaign to stress the positive impact of employing older workers. It is hoped that this initiative could also help foster employer engagement in incentive schemes and encourage greater public support for flexible working programmes which may be required by some older workers.

It is also proposed to develop a 'Corporate Champions' age-positive campaign highlighting the benefits of employing older workers. Some common age-positive practices already used in recruitment include: the removal of date of birth information from application forms; reduced reliance on chronological education and work history; and the removal of upper age limited for some trainee schemes.

In addition, the Strategic Framework outlines that OFMDFM are currently developing an Active Ageing Strategy which will use the Delivering Social Change Framework to manage signature projects across departments, aimed at enabling older people to contribute to a society where they feel valued and financially secure. A key measure, in this respect, will be encouraging greater labour market participation for older workers.

The Department for Employment and Learning through the Executive funded Economy and Jobs Initiative also currently offers Step Ahead 50+, targeted at those aged 50 and over. Step Ahead 50+, introduced in January 2013, will provide a total of 1,100 fixed term jobs lasting 26 weeks within the Community and Voluntary sector by March 2015.

Ms Sugden asked the Minister of Enterprise, Trade and Investment what assurances she can give that the Enterprise Zone in Coleraine will enable the area to become a long-term competitive business location, to retain companies who are incentivised to locate within the Zone, and to continue to attract more business in the future.
(AQW 37102/11-15)

Mrs Foster: The UK Government's Economic Pact, published on 14 June 2013, set out 3 commitments in relation to Enterprise Zones, focusing on Enhanced Capital Allowances (ECAs) which permit 100% first year allowances for qualifying plant and machinery expenditure. The pilot Enterprise Zone announced in the Budget statement on 19 March will only offer ECAs as an incentive.

The pilot project, which involves the establishment of a data centre by 5NINES in Coleraine, has the potential to promote economic development and further investment in the area. Designating this Enterprise Zone in Northern Ireland is another tool to lever economic growth. Data centres are a strategically important piece of telecommunications infrastructure. Such investments can be crucial in the development of the ICT sector as a whole and will enhance the proposition Northern Ireland can offer to inward investors who are increasingly globally connected.

Invest NI's overseas sales teams will promote the new data centre to relevant companies in international markets. This, along with the excellent telecoms and IT research base at UU Coleraine and the engineering talent available in the North West region, should help attract more FDI and local companies to explore the location as a suitable place to establish and grow their operations from.

Ms Sugden asked the Minister of Enterprise, Trade and Investment to outline the range of measures the Enterprise Zone in Coleraine plans to offer to incentivise firms to move into the area.
(AQW 37103/11-15)

Mrs Foster: Enterprise Zones in GB typically offer benefits through business rate discounts, simplified planning, access to superfast broadband and Enhanced Capital Allowances (ECAs) for a small number of Enterprise Zones within assisted

areas. The majority of these incentives are, with the exception of ECAs, already devolved policy areas and the NI Executive is already taking steps to support businesses across Northern Ireland using these levers.

The UK Government's Economic Pact, published on 14 June 2013, set out 3 commitments in relation to Enterprise Zones, focusing on Enhanced Capital Allowances (ECAs) which permit 100% first year allowances for qualifying plant and machinery expenditure.

The pilot Enterprise Zone announced in the Budget statement on 19 March will only offer ECAs as an incentive, which permits 100% first year allowances for qualifying plant and machinery expenditure. Such incentives are typically more attractive to particularly capital intensive investments.

Mr Agnew asked the Minister of Enterprise, Trade and Investment to detail (i) what information and advice services her Department provides or funds to consumers, broken down by service provider; (ii) the funding provided to each organisation or service; and (iii) the number of staff funded in each provider.
(AQW 37114/11-15)

Mrs Foster:

(I) Details of the information and advice services are as follows: (a) DETI's Trading Standards Service's Consumerline provides a range of free information and advice services to consumers on issues such as scam avoidance, complaint resolution and consumer law; (b) DETI has been providing funding, through commercial contracts, to organisations which offer debt advice services; and (c) Grant-in-aid provided by DETI, funds a small element of the Consumer Council for Northern Ireland advice role on a range of issues including transport, energy and general consumer matters.

(ii) and (iii) details of the funding provided and the staff involved in each case are set out in the table below.

	Consumerline		*Debt Advice Service Contracts		Consumer Council NI	
Financial Years	**(ii) Funding Provided**	**(iii) Staffing**	**(ii) Funding Provided**	**(iii) Staffing**	**(ii) Funding Provided**	**(iii) Staffing**
2011/12	£224K	8	£1.1m	34	£57.9k	1
2012/13	£239K	8	£1.0m	34	£55.9k	1
2013/14	£254K	8	£0.95m	29.5	£58.3k	1

* April 2011 – July 2012, figures relate to 3 separate debt contracts with AdviceNI, Citizens Advice and A4E. From August 2012, a new 3 year integrated contract (Debt Action NI/Advice NI) commenced.

Mr Agnew asked the Minister of Enterprise, Trade and Investment how many consumers have used each information and advice service that her Department provides or funds to consumers in each of the last three years.
(AQW 37115/11-15)

Mrs Foster: The number of consumers who have used each service is set out below.

	Consumerline	Debt Advice Service Contracts	Consumer Council NI
Financial Years	**Number of consumers who have used each information and advice service that DETI provides or funds to consumers**		
2011/12	23,763	6,378	*1,240
2012/13	23,269	6,315	*1,239
2013/14	23,334	5,223	*1,346

* This only applies to information and advice service, core funded by DETI.

Mr D McIlveen asked the Minister of Enterprise, Trade and Investment what steps her Department will take to support workers from JTI Gallaher Lisnafillan site who will be made redundant; and what talks she plans to have with the company owners.
(AQW 37120/11-15)

Mrs Foster: Following JTI's announcement to initiate a 90-day consultation on a proposal to close its manufacturing facility in Ballymena and move production to Poland or Romania, Minister Farry and I met with representatives from the company to discuss how we might help those who will be affected by this decision.

It has been agreed that Minister Farry and I will lead the Executive response to this devastating news, and we have requested an urgent meeting with the Senior Management in Ballymena.

The company has asked for some time to discuss the way forward during this consultation period before meeting with us. We have to respect that request and can assure the Assembly that we will meet at an appropriate time in the near future.

In the meantime, Invest NI continues to work closely with the company and with the Department for Employment and Learning to ensure that those employees impacted by the outcome of the consultation are offered appropriate help and support.

Ms Lo asked the Minister of Enterprise, Trade and Investment how her Department arrived at the decision to cut the Northern Ireland Tourist Board events fund; and what other options were explored for potential savings.
(AQW 37184/11-15)

Mrs Foster: Since the Northern Ireland Tourist Board (NITB) assumed responsibility for the events function in 2010 there has not been a Budget exercise to allow for an appropriate dedicated budget to be established for events. As a result NITB has always relied on in year monitoring to meet its commitments for events funding.

The Executive has not yet determined Departmental budgets for 2015/16 but the overall financial position for the Northern Ireland Block is forecast to be very difficult. It is on this basis that applications are not being sought for the Events Fund for National Sponsorship Scheme and new International Events in 2015/16.

International events which have a current letter of offer from NITB which extends into 2015/16 will not be impacted by this decision.

Events remain a priority for NITB and we will endeavour to source budget for future years.

Ms Lo asked the Minister of Enterprise, Trade and Investment for her assessment of recent Foreign Direct Investments and their impact on local businesses, particularly the head hunting practices and higher salaries that are making the landscape uncompetitive for local companies, especially in the technology start up sector.
(AQW 37185/11-15)

Mrs Foster: It is fully understood that the arrival of international companies may be regarded by some as a source of competition for skills and therefore greeted with a degree of apprehension.

The importance of Foreign Direct Investment (FDI) in growing our economy cannot be overlooked. FDI brings new skills, innovation, increased productivity and higher salaries for our people, all of which serve to reduce the productivity gap that currently exists with the rest of the UK. Invest NI has an excellent track record of attracting high quality inward investment, with recent announcements by major corporations such as Baker & McKenzie, Alexander Mann Solutions and EY. The impact of inward investment projects on local businesses is considered by Invest NI as part of the formal appraisal process.

ICT/software has been identified as a priority target sector for FDI due to Northern Ireland's competitive advantage in the field and the quality of the jobs the industry provides. The local ICT sector employs over 15,000 people in approximately 900 companies, including over 100 international investors.

One of Northern Ireland's key strengths in the ICT sector is the availability of a skilled workforce at a competitive cost base. Both DETI, through Invest NI, and the Department of Employment and Learning (DEL) provide extensive training and skills based schemes that will assist in ensuring that the necessary expertise is available in Northern Ireland to satisfy the increased demand developed through FDI projects and indigenous development projects.

I firmly believe that the development of the local ICT sector will serve not only to improve the prospects for our local people, many of whom would previously have had to leave Northern Ireland to seek opportunities, but will also increase the pool of available talent for the sector as a whole.

Mr McKay asked the Minister of Enterprise, Trade and Investment what package her Department will put in place to support workers from JTI Gallaher.
(AQW 37196/11-15)

Mrs Foster: Following JTI's announcement to initiate a 90-day consultation on a proposal to close its manufacturing facility in Ballymena and move production to Poland or Romania, I and my colleague Minister Farry have been asked to lead the Executive's response to ensure the best possible outcome for the employees.

Mr McKay asked the Minister of Enterprise, Trade and Investment what assessment has been made of the impact that the closure of the JTI Gallaher factory will have on sub contractors, suppliers and other jobs associated with the factory.
(AQW 37199/11-15)

Mrs Foster: The Executive has agreed that my colleague Minister Farry and I should lead the response to the JTI Gallaher consultation. A meeting took place on Monday 20th October at which a full range of issues where discussed. This included the potential impact on the Northern Ireland subcontractors and suppliers.

Mr McKay asked the Minister of Enterprise, Trade and Investment what communication she has had, or plans to have, with trade union representatives about the future of the workforce at JTI Gallaher.
(AQW 37200/11-15)

Mrs Foster: Since the announcement of the proposal to close the Lisnafillan factory, I and my colleague Minister Farry met Union Representatives regarding the JTI Gallaher consultation announcement on Thursday 9th October. We have arranged to meet with Senior Officials of the Company on Monday 20th October. Invest NI will continue to liaise closely during the consultation process on the future of the Lisnafillan site.

Mr Agnew asked the Minister of Enterprise, Trade and Investment (i) for a a breakdown of her Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether she will deposit a copy of her Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37206/11-15)

Mrs Foster: My Department received a £13.8million Resource allocation in October Monitoring. The full allocation will fund inescapable pressures for contractual obligations in Invest NI and events in the Northern Ireland Tourist Board.

It is not the practice for departments to deposit a copy of in-year Monitoring bids in the Assembly library.

Mr Copeland asked the Minister of Enterprise, Trade and Investment to detail the level of reserves in each of her Department's arm's-length bodies as of 1 October 2014.
(AQW 37222/11-15)

Mrs Foster: The General Reserve Balance of the Department's arm's length bodies at 1 October 2014 is detailed below –

GCCNI	£193,734
HSENI	£147,009
NITB	£7,758,815
Invest NI	£84,891,000*

* Invest NI accounting year end is 31 March. The reserves balances are calculated at that date and are not available at 1 October.

Invest NI's general reserve balance is mainly represented by its investments in development and loan funds and client companies in the form of loans, shares and investments. These investments have therefore arisen as a result of public funds being used for longer term investing activities rather than for funding annual expenditure and do not represent amounts available for immediate distribution. Any such distribution would require a withdrawal of support from client companies by calling in loans and liquidating investments in them.

NITB's general reserve balance reflects liabilities which have been recognised in its accounts but where the cash funding to meet the liability will not be required until a future date. In the main this relates to long-term pension liabilities.

Mr Nesbitt asked the Minister of Enterprise, Trade and Investment to detail the prior consultation that took place with the organisers of any of the events whose funding was affected by the announcement that the Tourism Events National Sponsorship Scheme will not go ahead in 2015/16.
(AQW 37244/11-15)

Mrs Foster: Youth Employment Scheme

As the Youth Employment Scheme is not specifically designed for young graduates my Department does not routinely gather data detailing the number of graduates that have participated. I am therefore unable to provide this information for the Youth Employment Scheme.

Steps to Work

Steps to Work (StW), has been my Departments main adult return to work programme since its introduction in September 2008. StW provides a flexible, individually tailored programme of support to help the unemployed

and economically inactive to find employment irrespective of their level of educational attainment.

Detail on the qualifications held by those participating on StW is not systematically captured therefore; I am unable to advise you on the actual number of graduates who have taken part in the overall StW programme.

In January 2010, in response to an increase in graduate unemployed the StW programme was flexed and dedicated provision for graduates was introduced. This provision was known as the Graduate Acceleration Programme (GAP). Between January 2010 and June 2014 a total of 905 graduates availed of GAP through the StW programme.

Mr Nesbitt asked the Minister of Enterprise, Trade and Investment to detail the (i) date; and (ii) approximate time the decision was taken that the Tourism Events National Sponsorship Scheme will not go ahead in 2015/16.
(AQW 37245/11-15)

Mrs Foster: Following discussion in the context of October monitoring, the final decision was taken on Friday 3 October 2014.

Mr Nesbitt asked the Minister of Enterprise, Trade and Investment whether any alternative was considered to the announcement that the Tourism Events National Sponsorship Scheme would not go ahead in 2015/16, such as sharing the burden across the National and International funds.
(AQW 37246/11-15)

Mrs Foster: The commitments already made to the International Events under current Letters of Offer utilise all available baseline funding, and in the absence of additional funding, there were no other alternatives.

Mr Nesbitt asked the Minister of Enterprise, Trade and Investment what assessment was made of the amount of consequential revenue which would be lost if the cut to the Tourism Events National Sponsorship Scheme is implemented.
(AQW 37247/11-15)

Mrs Foster: The Northern Ireland Tourist Board (NITB) is not in a position to assess the amount of consequential revenue which may, or may not, be lost due to funding not being available for the scheme next year.

Mr Allister asked the Minister of Enterprise, Trade and Investment to detail (i) how many new jobs have been created by Invest NI in each constituency in each of the last five years; (ii) how many of the jobs created still exist; and (iii) how many potential foreign investors visited each constituency over the same period and what were the outcomes from the visits.
(AQW 37249/11-15)

Mrs Foster:

(i) Invest NI only holds information on actual jobs created since the beginning of the current Programme for Government. Therefore, Table 1 below details the number of new jobs created by Invest NI assisted projects in each parliamentary constituency in each of the last 3 years.

Table 1: Jobs Created by Invest NI Assisted Projects by Parliamentary Constituency Area (2011-12 to 2013-14)

PCA	2011-12	2012-13	2013-14
Belfast East	542	702	847
Belfast North	212	254	355
Belfast South	567	737	494
Belfast West	188	266	197
East Antrim	338	138	128
East Londonderry	193	137	199
Fermanagh & South Tyrone	264	376	630
Foyle	414	335	243
Lagan Valley	276	128	210
Mid Ulster	332	464	437
Newry & Armagh	843	758	371
North Antrim	152	159	266
North Down	102	53	126
South Antrim	225	728	409
South Down	278	197	270
Strangford	92	102	161
Upper Bann	471	178	470
West Tyrone	143	243	322

(ii) Invest NI applies the European Commission's Regional Aid rules to assist job creation, which state that large companies must maintain assisted employment for at least five years, or three years in the case of SMEs. Invest NI monitors this obligation through conditions in its letters of offer. Whilst this information is held within individual case files, it is not in a format that enables us to report this information by PCA.

(iii) During the financial years 2009-10 and 2013-14, Invest NI hosted 976 credible inward-investment visits across all Parliamentary Constituency Areas (PCA)

Table 2: Inward Investment Visits by Parliamentary Constituency Area (2009-10 to 2013-14)

PCA	09-10	10-11	11-12	12-13	13-14
Belfast East	34	47	51	53	56
Belfast North	17	22	25	36	35
Belfast South	48	54	62	63	87
Belfast West	12	7	7	9	14
East Antrim	9	19	14	16	13
East Londonderry	5	2	3	3	3
Fermanagh & South Tyrone	0	0	0	0	4
Foyle	13	10	7	4	8
Lagan Valley	3	7	1	7	23
Mid Ulster	0	0	1	0	0
Newry & Armagh	1	6	3	3	3
North Antrim	0	2	1	4	1
North Down	5	2	0	1	3
South Antrim	4	2	0	5	2
South Down	1	0	0	1	1
Strangford	2	1	1	0	1
Upper Bann	0	0	2	0	1
West Tyrone	0	0	0	0	3

Notes:

1. A credible visit is defined as one where Invest NI can claim to have promoted a DCA or PCA by bringing a potential inward investor, who has an identifiable project proposal, to that area.
2. In addition to the above listed visits, Invest NI has also facilitated a number of visits by other organisations e.g. influencers, overseas governments and trade bodies, which serve to strengthen FDI & Trade links in overseas markets.
3. 2013-14 figures include 25 visits associated with the investment conference.

It is difficult to quantify the specific outcomes of each and every visit by an inward investor. Some international companies will visit on the basis of 'fact finding' even though no potential investment is imminent. A high quality visit programme can help a specific area, and Northern Ireland as a whole, gain traction so that it remains in contention for when a potential investor chooses to proceed with their project.

Establishing a direct relationship between a specific visit and a subsequent investment is also difficult. This is because a company may make several visits before making a decision whether and where to invest. Securing an inward investment usually spans a considerable period (typically 18 to 24 months) and is often the result of many factors which may, or may not, include location visits.

Mr Allister asked the Minister of Enterprise, Trade and Investment, since coming to office, how many times has she met with the management of JTI Gallahers; and to detail the dates of each meeting.
(AQW 37250/11-15)

Mrs Foster: I have had discussions with JTI Gallaher management on the following occasions:

- 3 December 2013
- 2 May 2014
- 8 October 2014
- 27 August 2014.

Mr Allister asked the Minister of Enterprise, Trade and Investment for an update on the answer provided to AQW 27103/11-15.
(AQW 37251/11-15)

Mrs Foster:

(i) Invest NI only holds information on actual jobs created since the beginning of the current Programme for Government. Therefore, the table below details the number of new jobs created by Invest NI assisted projects in the North Antrim parliamentary constituency in each of the last 3 years.

Jobs Created	2011-12	2012-13	2013-14
North Antrim	152	159	266

(ii) Invest NI's targets for attracting jobs above the Northern Ireland Private Sector Median (PSM) are specifically related to the jobs it promotes from foreign-owned investments and detailed in the response to AQW 27103/11-15.

Mr Allister asked the Minister of Enterprise, Trade and Investment for an update on the answer provided to AQW 27036/11-15. **(AQW 37252/11-15)**

Mrs Foster:

(i) Table 1 below details the number of new jobs created by Invest NI assisted projects in each parliamentary constituency in each year since 2011-12.

Table 1: Jobs Created by Invest NI Assisted Projects by Parliamentary Constituency Area (2011-12 to 2013-14)

PCA	2011-12	2012-13	2013-14
Belfast East	542	702	847
Belfast North	212	254	355
Belfast South	567	737	494
Belfast West	188	266	197
East Antrim	338	138	128
East Londonderry	193	137	199
Fermanagh & South Tyrone	264	376	630
Foyle	414	335	243
Lagan Valley	276	128	210
Mid Ulster	332	464	437
Newry & Armagh	843	758	371
North Antrim	152	159	266
North Down	102	53	126
South Antrim	225	728	409
South Down	278	197	270
Strangford	92	102	161
Upper Bann	471	178	470
West Tyrone	143	243	322

(ii) During the financial years 2011-12 and 2013-14, Invest NI hosted 641 credible inward-investment visits across all Parliamentary Constituency Areas (PCA)

Table 2: Inward Investment Visits by Parliamentary Constituency Area (2009-10 to 2013-14)

PCA	11-12	12-13	13-14
Belfast East	51	53	56
Belfast North	25	36	35
Belfast South	62	63	87
Belfast West	7	9	14
East Antrim	14	16	13
East Londonderry	3	3	3

PCA	11-12	12-13	13-14
Fermanagh & South Tyrone	0	0	4
Foyle	7	4	8
Lagan Valley	1	7	23
Mid Ulster	1	0	0
Newry & Armagh	3	3	3
North Antrim	1	4	1
North Down	0	1	3
South Antrim	0	5	2
South Down	0	1	1
Strangford	1	0	1
Upper Bann	2	0	1
West Tyrone	0	0	3

Notes:

4. A credible visit is defined as one where Invest NI can claim to have promoted a DCA or PCA by bringing a potential inward investor, who has an identifiable project proposal, to that area.
5. In addition to the above listed visits, Invest NI has also facilitated a number of visits by other organisations e.g. influencers, overseas governments and trade bodies, which serve to strengthen FDI & Trade links in overseas markets.
6. 2013-14 figures include 25 visits associated with the investment conference.

It is difficult to quantify the specific outcomes of each and every visit by an inward investor. Some international companies will visit on the basis of 'fact finding' even though no potential investment is imminent. A high quality visit programme can help a specific area, and Northern Ireland as a whole, gain traction so that it remains in contention for when a potential investor chooses to proceed with their project.

Establishing a direct relationship between a specific visit and a subsequent investment is also difficult. This is because a company may make several visits before making a decision whether and where to invest. Securing an inward investment usually spans a considerable period (typically 18 to 24 months) and is often the result of many factors which may, or may not, include location visits.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 13354/11-15, to detail (i) the companies responsible for promoting 89 jobs in the Foyle constituency in 2011/12; (ii) the timescale for creating these jobs; (iii) the number of these jobs created to date; and (iv) when the remainder will be created.
(AQW 37288/11-15)

Mrs Foster: One Stop Data was responsible for promoting one job in the Foyle constituency in 2011/12. Information relating to job creation is commercially sensitive at business level while a project is still 'live'. Therefore, the information requested for One Stop Data will only be made publicly available once the project is complete and the control period has ended.

Information on the remainder of the promoted jobs is not yet in the public domain and, as such, I am not yet at liberty to disclose the names of the companies involved.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 24617/11-15, regarding the promotion of 200 jobs by Allstate NI in the Foyle constituency in 2012/13, to detail (i) the number of jobs created to date; and (ii) when the remainder will be created.
(AQW 37289/11-15)

Mrs Foster: Information relating to job creation is commercially sensitive at business level while a project is still 'live'. Therefore, such information on specific companies will only be made publicly available once a project is complete and the control period has ended.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35360/11-15, regarding the promotion of 333 jobs by the Convergys Corporation in the Foyle constituency in 2013/14, to detail (i) the number of jobs created to date; and (ii) when the remainder will be created.
(AQW 37290/11-15)

Mrs Foster: Information relating to job creation is commercially sensitive at business level while a project is still 'live'. Therefore, such information on specific companies will only be made publicly available once a project is complete and the control period has ended.

Mr Eastwood asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 35360/11-15, regarding the promotion of 177 jobs by Fujitsu Services Limited in the Foyle constituency in 2013/14, to detail (i) the number of jobs created to date; and (ii) when the remainder will be created.
(AQW 37291/11-15)

Mrs Foster: Information relating to job creation is commercially sensitive at business level while a project is still 'live'. Therefore, such information on specific companies will only be made publicly available once a project is complete and the control period has ended.

Mr McKay asked the Minister of Enterprise, Trade and Investment what her Department is doing to increase awareness among consumers of their rights when signing up to schemes in which companies own the solar panels that are placed on the consumers' property.
(AQW 37441/11-15)

Mrs Foster: In April 2013, DETI's Trading Standards Service (TSS) issued a press release urging consumers to do their research before buying and installing renewable energy technologies in their homes. Consumers who believed they had been misled in any way were encouraged to contact the TSS Consumerline service. Subsequently, Consumerline received a number enquiries and complaints about solar panels, and where applicable, consumers were either advised of their rights under the Sale of Goods legislation or any alleged misleading claims reporting were taken forward by TSS officers for investigation.

Those contacting DETI'S Energy Division with queries regarding 'free' solar schemes are made aware of advice provided by the Energy Saving Trust on its website. Whilst the advice is targeted at consumers in Great Britain, it is equally applicable to Northern Ireland.

Mr Agnew asked the Minister of Enterprise, Trade and Investment what consideration was given to the impact on local government reform and the certainty and speed of planning decisions for prospective developers and investors, of her decision to judicially review the adoption of the Belfast Metropolitan Area Plan.
(AQW 37451/11-15)

Mrs Foster: Any uncertainty created in relation to the Belfast Metropolitan Area Plan arises as a result of the decision by the Minister of the Environment to adopt the plan without the agreement of the Executive and contrary to the provisions of the Ministerial Code. I hope that even at this late stage the Minister will take the necessary steps to ensure that he complies with the Ministerial Code and recourse to the courts can be avoided.

Mr McQuillan asked the Minister of Enterprise, Trade and Investment to detail the current number of social enterprises.
(AQW 37571/11-15)

Mrs Foster: Last year my Department, along with the Department for Social Development, released a 'Survey of Northern Ireland's Third sector' which provided a useful insight into not only the size and scale of the sector but it's potential to become more enterprise driven.

The research conducted by Price Waterhouse Coopers estimated there were approximately 473 social enterprises operating in Northern Ireland. The full report can be accessed at http://www.detini.gov.uk/index/what-we-do/deti-social-eco-index.htm

Mr McQuillan asked the Minister of Enterprise, Trade and Investment how many people are employed by Social Enterprise NI.
(AQW 37572/11-15)

Mrs Foster: Social Enterprise NI was appointed by my Department in October 2012 to design and deliver a three year Social Economy Work Programme in direct response to feedback from the sector.

Social Enterprise NI is a consortium with a voluntary Board and with Business in the Community providing the lead partner role. At present there are two paid employees.

Mr McQuillan asked the Minister of Enterprise, Trade and Investment to detail the revenue generated by Enterprise NI, in each of the last two financial years.
(AQW 37573/11-15)

Mrs Foster: Whilst my Department and Invest NI work closely with Enterprise NI both as a deliverer of programmes (under procured contracts) and a local stakeholder in the enterprise arena, that organisation is a commercial entity which has contracts with a number of government departments and other customers. My Department would therefore not have access to the information requested, and it would not be appropriate for me to comment further.

Department of the Environment

Mr McNarry asked the Minister of the Environment, following the delay of First Flight Wind's offshore wind farm plans in South Down, whether this is a matter for local government or if maritime planning is a departmental responsibility.
(AQW 36927/11-15)

Mr Durkan (The Minister of the Environment): A marine licence from the Department of the Environment's Marine Division is required for the construction and operation of an offshore wind farm off the south east coast of Co. Down. This licence would cover the offshore work from Mean High Water Spring Tide out to 12 Nautical Miles.

In relation to terrestrial planning, from April 2015 the new councils will determine the vast majority of planning applications unless they are regionally significant. If the Department considers that the onshore development related to an offshore wind farm is regionally significant it will determine the application.

Mr Dunne asked the Minister of the Environment whether prior to a waste management operator receiving a waste operating licence from the Northern Ireland Environment Agency, an applicant is required to have planning permission in place for the proposed activity and use.
(AQW 36933/11-15)

Mr Durkan: Planning permission is required as a prerequisite to the issuing of a waste management licence. This is stipulated within Article 8 of the Waste and Contaminated Land Order (NI) 1997.

However to help avoid any delay in the issue of a waste management licence, once a planning application is in place, NIEA will process a waste licence application in parallel with the planning process which will not be issued until planning permission is granted. NIEA is not aware of any incidents where a waste management licence has been granted before planning permission has been granted.

Mr Agnew asked Minister of the Environment to detail (i) the costs associated with the disposal of all waste and leachate from City Waste at Mobuoy Road; (ii) the types of waste involved; (iii) the methods used to treat and dispose of waste and leachate; and (iv) the final destinations for the waste and leachate.

(AQW 37027/11-15)

Mr Durkan: To date 4191 tonnes of mixed household waste, 2458 tyres and 1,426,435 litres of leachate have been removed from the site at a cost to the Department of the Environment in the region of £800,000. As you will be aware, this information is already in the public domain.

The mixed waste was taken to Craigahulliar Landfill in Portrush, the leachate was taken to Culmore Waste Water Treatment Works for treatment by Northern Ireland Water and the tyres to a waste management licensed premises for recycling.

Mr Agnew asked the Minister of the Environment whether his Department has held discussions regarding, or is aware of, plans to reopen the former City Waste site at Mobouy Road, Derry; and to detail the basis on which it can be reopened, given that (a) the uncertainty surrounding the serious environmental effects of the illegal activity that has taken place at the site; (b) planning applications A/2010/0126/F and A/2010/0596/F have recently been refused; and (c) there are valid planning enforcement notices on the site which have not been met.
(AQW 37028/11-15)

Mr Durkan: NIEA has recently been approached by a waste management company which has expressed an interest in applying for a licence for the site at Mobouy Road, Campsie, Derry. Initial discussions, which are the norm for waste licence applications, have taken place between NIEA and the company; however no application has as yet been received for the site.

The Department previously granted planning approval for a waste segregation and re-cycling centre at the City Industrial Waste site. In relation to the City Industrial Waste site, four planning applications were submitted following DOE Planning enforcement action in relation to unauthorised activities.

On 17 July 2014 the Department made a determination under Regulation 9 of the Planning (EIA) Regulations (Northern Ireland) 1999 that the overall project was EIA development and an Environmental Statement was required.

It has been highlighted to the company that if such an application was to be received for this site, not only would it face the normal stringent process for consideration, it would also have to take account the requirement to remove the significant amount of wastes and polluting matters so that the highest levels of environmental protection are put in place to protect the Faughan River and its local tributaries. The Company has been informed from the outset there is no guarantee that any application will be successful.

The granting of any licence must be conditional to meeting all of the requirements detailed through pre-application discussions. Without this, no licence will be issued. It should be noted that any final decision will require rigorous testing through DSO before a licence is issued, if indeed this is decided, and confirmation that the required planning permissions are in place.

As the deadline of 14 August 2014 expired and no request for an extension of time was received the above applications were therefore deemed refused. I can confirm this site is currently the subject of live planning enforcement notices.

Mr Agnew asked the Minister of the Environment to detail (i) the full extent of the breaches of planning control which have taken place at the Cavanacaw gold mine; (ii) how these breaches were remedied; (iii) whether any unauthorised activities were incapable of being remedied; (iv) whether any unauthorised activities continued, or new breaches have taken place, since the Ombudsman's report criticising his Department for its failures to exercise proper planning control; and (v) why his Department has not provided the local community with full details of the unauthorised activity at the site as recommended by the Ombudsman's report.
(AQW 37029/11-15)

Mr Durkan: Breaches of planning control at the Cavanacaw Goldmine consist of development involving the storage of minerals, development involving building operations and breach of conditions. Formal enforcement action was commenced consisting of a Breach of Condition Notice and an Enforcement Notice.

The removal of rock from the site ceased upon service of the Enforcement Notice. Unauthorised buildings were remedied through the granting of retrospective planning applications. A condition in the Breach of Condition Notice was subsequently discharged.

Unauthorised activities are remedied in a number of ways; through cessation, through submission of a retrospective application and/or through reinstatement. Consideration can also be given to whether it is expedient to pursue a breach of planning control. Decisions are taken pursuant to Planning Policy Statement 9.

There are unauthorised activities that have not been remedied to date. There are activities that are considered in light of a pending application. For example the Department is aware that the stockpile storage is in excess of the approved heights but it also aware that determination of the pending application will see the levels reduced.

The Department previously advised the Northern Ireland Assembly Ombudsman that a report would be completed after the Department carried out additional survey work to establish the current position on site. Following consideration of the results of the survey, the Department intends to produce a summary report accordingly.

Mr Agnew asked the Minister of the Environment whether the breaches of planning control at the Cavanacaw gold mine represent an unauthorised Environmental Impact Assessment development; and whether planning application K/2012/0373/F, if approved, will regularise the breaches.
(AQW 37030/11-15)

Mr Durkan: An enforcement notice was served at the site was in connection with the removal of rock off site. An EIA determination was carried out at that time which determined that the unauthorised development was not EIA development.

Planning application ref.: K/2012/0373/F seeks the removal of controlled amounts of rock off site.

Mr McKay asked the Minister of the Environment how many groups have applied to the Challenge Fund in the current financial year, broken down by constituency.
(AQW 37045/11-15)

Mr Durkan: The number of groups who have applied to the 2014/15 Challenge Fund to conduct projects in each of the 18 Parliamentary constituencies is set out in Appendix 1.

We have experienced an unprecedented level of interest in the 2014/15 Challenge Fund, with over £9 million having been requested. I look forward to again seeing the positive environmental and community outcomes this support enables.

Lord Morrow asked the Minister of the Environment to detail the operator that provides taxi services to his Department and the Driver and Vehicle Agency, including whether this is a contracted service; and if so, when this contract was last tendered.
(AQW 37092/11-15)

Mr Durkan: The operator that provides taxi services to my Department and the Driver and Vehicle Agency is Value Cabs.

The provision of taxi services is facilitated through a NICS wide contract with Value Cabs which was procured through the Central Procurement Directorate of the Department of Finance and Personnel in October 2010.

Mr Agnew asked the Minister of the Environment whether the landfilling taking place at Camcosy Road, County Tyrone, including the extent and composition of the infilling taking place, were considered as part of the Environmental Impact Assessment determination and Habitats Regulations Assessment when determining the likely effects on the Owenkillew Special Area of Conservation; and to detail where the evidence of this exists.
(AQW 37112/11-15)

Mr Durkan: The Habitat Regulations Assessment and EIA determination undertaken by the Department assessed the potential impacts of site preparation and construction phase operations.

The need for the importation of material for the construction of the site compound is described in the information supplied by the applicant. This is referred to in both the Environmental Impact Assessment determination and Habitats Regulations Assessment reports.

The impact of reduced water quality caused by site preparation works and construction phase were also assessed. A discharge consent at the site from NIEA requires that discharge from the site is below the limits specified in the consent. Adherence to the consent will prevent any impact from the works on the water quality of the Owenkillew SAC/ASSI.

Mr Agnew asked the Minister of the Environment whether the Aggregates Levy Credit Scheme certificate granted to the Cavanacaw gold mine related to the unauthorised removal of rock from the site; and if so, why it was appropriate to grant a certificate relating to unauthorised development, and whether this information was provided to the Ombudsman when he was conducting his investigation.
(AQW 37113/11-15)

Mr Durkan: An application to join the Aggregates Levy Credit Scheme (ALCS) by Omagh Minerals Ltd for their site at 56 Botera Upper Road, Omagh (also known as Cavanacaw gold mine) was refused on 13 January 2010. No ALCS certificate has been issued in respect of this site.

Mr Frew asked the Minister of the Environment what arrangements are in place to ensure that drivers receiving a MOT certificate in a Northern Ireland MOT centre will be registered in all databases in Great Britain to ensure that local drivers are not penalised; and what course of action can be taken to reverse an on-the-spot fine when received in Great Britain due to the police not having access to the test details.
(AQW 37121/11-15)

Mr Durkan: All MOT test results, with effect from 21 July 2014, are transferred electronically to the Driver and Vehicle Licensing Agency (DVLA) database in Great Britain on a nightly basis.

Prior to this date, MOT test results were updated to the Northern Ireland vehicle record database. These records, which included the MOT test results, were migrated to the DVLA system in advance of 21 July 2014. DVLA has confirmed that all records which successfully migrated to DVLA's system would have been available to GB police forces.

Unfortunately, DVLA encountered some migration issues with a small number of records which the Secretary of State for Transport has advised would be rectified as a matter of priority.

If necessary, the Driver & Vehicle Agency can provide confirmation that a Northern Ireland registered vehicle has a valid MOT certificate to allow the vehicle keeper to challenge an on-the-spot fine.

Lord Morrow asked the Minister of the Environment to detail (i) the date the Chief Enforcement Officer reported to Driver and Vehicle Agency staff that a taxi operator centre existed at Ravenhill Stadium and by what means was this reported; (ii) whether the subsequent taxi operating licence was issued as a result of the report; (iii) when complaints were first raised as to the non-existence of the operator centre at the stadium; and (iv) when departmental or agency staff visited the stadium and discovered that no such structure or operating centre existed.
(AQW 37177/11-15)

Mr Durkan: I would refer the Member to my response to AQW37097/11-15 in respect of part (i).

In response to parts (ii) to (iv), an operating centre at Ravenhill Stadium was added to the operator licence, at the request of the operator, on 19 June 2013.

Complaints were subsequently received, alleging that a physical operating centre had not been established at Ravenhill Rugby ground and this was confirmed following a visit by officials on 13 August 2013.

Ms Sugden asked the Minister of the Environment, following his Department's submission to the Planning Appeals Commission against the application by Arc NI 1 Ltd to build sixteen wind turbines in Binevenagh Area of Outstanding Natural Beauty, when they expect to receive a response.
(AQW 37182/11-15)

Mr Durkan: On 11 July 2014, the Department was informed by the Planning Appeals Commission (PAC) that the applicant had lodged an application for an Article 33 (non determination) appeal. At the request of the PAC, the Department submitted to them twelve draft reasons. The refusal reasons reflect the Department's concerns with regards the impact of the proposed development on the visual amenity and landscape character of the Binevenagh Area of Outstanding Natural Beauty and the visual appeal and amenity value of local tourist assets, the impact on Magilligan Special Area of Conservation and flora and fauna, the impact on residential amenity and the impact on the public safety of roads users.

To date, the Department has not received further correspondence from the PAC. Jurisdiction has passed to the PAC who will determine the timetabling of this appeal. To date, the Department has not been informed of this timeframe.

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To date, the Department has not received further correspondence from the PAC. Jurisdiction has passed to the PAC who will determine the timetabling of this appeal. To date, the Department has not been informed of this timeframe.

Mr Copeland asked the Minister of the Environment to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37238/11-15)

Mr Durkan: My Department has five arm's length bodies (ALB's) as follows:

- NI Local Government Officers' Superannuation Committee (NILGOSC)
- Local Government Staff Commission for NI (LGSC)
- Council for Nature Conservation and Countryside (CNCC)
- Historic Monuments Council (HMC)
- Historic Buildings Council (HBC)

As at 1 October 2014 none of the Department's ALBs held reserves.

Lord Morrow asked the Minister of the Environment whether his Department has agreed via the Driver and Vehicle Agency or any other departmental agency, that the private taxi hire tariff should not exceed the public hire rate, in order to permit a second tariff on a regulated meter; and if so, to outline the rationale behind this decision.
(AQW 37254/11-15)

Mr Durkan: I would refer the member to the answer I gave to AQW 29800/11-15. The rationale to adopt this approach was to ensure that at no time was the regulated public hire rate exceeded.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 36423/11-15, whether he will provide a copy of the email and any associated responses, or place a copy in the Assembly Library.
(AQW 37257/11-15)

Mr Durkan: The email communicating the observations of enforcement officers at Ravenhill Stadium on 23 August 2013 was part of an investigatory process and as such it is necessary to limit the disclosure of this information to protect the integrity of this and other investigatory processes.

Mr Girvan asked the Minister of the Environment, given the changes with regards to the displaying of tax discs on cars, whether there any proposals to implement the same changes with regard to the display of MOT discs.
(AQW 37265/11-15)

Mr Durkan: I intend to legislate to remove the requirement to display a vehicle test certificate from April 2015. This intention has been shared with the Assembly Environment Committee, and an SL1 has been agreed to achieve this. Legislative drafting has commenced.

Mr Weir asked the Minister of the Environment whether the Belfast public hire tariff information is published; and if so, why other tariffs are not published.
(AQW 37266/11-15)

Mr Durkan: Regulation 46(14) of the Public Service Vehicles (Conditions of Equipment, Fitness and Use) Regulations (Northern Ireland) 1995 requires all Belfast Public Hire taxis to exhibit a fares board. My understanding is that the purpose of this regulation for the Belfast Public Hire fare to be displayed in all Belfast Public Hire taxis was to increase customer protection. All secondary tariffs used by Belfast Public Hire taxis are required to be lower and my Department is, therefore, satisfied that such protection is maintained without a requirement for the secondary tariff to be displayed on the fares board.

No element of a tariff entered into a public hire taxi meter may exceed that element of the relevant regulated fare. The regulated tariff and the secondary tariff are both checked by DVA during the taximeter test.

Mr Weir asked the Minister of the Environment who within his Department tested and authorised the checksums currently fitted to public and private hire taxis.
(AQW 37267/11-15)

Mr Durkan: The taximeter programme checksums fitted in Belfast Public Hire taxis are tested and approved by the Driver & Vehicle Agency (DVA). DVA does not test or approve the taximeters fitted in Private Hire taxis as these taxis are not subject to regulated fares.

Mr Weir asked the Minister of the Environment whether secondary tariffs on private hire taxis are displayed in the vehicles on a tariff card in the same manner as the Belfast public hire tariff.
(AQW 37268/11-15)

Mr Durkan: Regulation 46(14) of the Public Service Vehicles (Conditions of Equipment, Fitness and Use) Regulations (Northern Ireland) 1995 requires all Belfast Public Hire taxis to exhibit a fares board. My understanding is that the purpose of this regulation for the Belfast Public Hire fare to be displayed in all Belfast Public Hire taxis was to increase customer protection. All secondary tariffs used by Belfast Public Hire taxis are required to be lower and my Department is, therefore, satisfied that such protection is maintained without a requirement for the secondary tariff to be displayed on the fares board.

No element of a tariff entered into a public hire taxi meter may exceed that element of the relevant regulated fare. The regulated tariff and the secondary tariff are both checked by DVA during the taximeter test.

Mr Weir asked the Minister of the Environment whether it is permitted to have a checksum/tariff structure on a public hire taxi meter other than the regulated tariff as specific by his Department's regulations if the second tariff exceeds the regulated tariff on waiting time.
(AQW 37269/11-15)

Mr Durkan: Regulation 46(14) of the Public Service Vehicles (Conditions of Equipment, Fitness and Use) Regulations (Northern Ireland) 1995 requires all Belfast Public Hire taxis to exhibit a fares board. My understanding is that the purpose of this regulation for the Belfast Public Hire fare to be displayed in all Belfast Public Hire taxis was to increase customer protection. All secondary tariffs used by Belfast Public Hire taxis are required to be lower and my Department is, therefore, satisfied that such protection is maintained without a requirement for the secondary tariff to be displayed on the fares board.

No element of a tariff entered into a public hire taxi meter may exceed that element of the relevant regulated fare. The regulated tariff and the secondary tariff are both checked by DVA during the taximeter test.

Mr Weir asked the Minister of the Environment whether the fitting and calibration of taxi meters will be carried out externally or 'in-house' by his Department.
(AQW 37270/11-15)

Mr Durkan: I refer the Member to my response to AQW 35774/11-15.

Mr Swann asked the Minister of the Environment to detail the rural proofing completed on the latest changes to taxi legislation.
(AQW 37303/11-15)

Mr Durkan: The most recent change to be implemented relating to taxi legislation is the introduction of the Taxis Drivers' Licences Regulations (Northern Ireland) 2014. Rural proofing was part of the assessment process undertaken for these regulations and it was concluded that they would have no negative impact in rural areas.

Rural proofing will continue to be conducted as part of the development of all future taxi regulations.

Mr Swann asked the Minister of the Environment whether rural proofing will be conducted in relation to future taxi regulations.
(AQW 37304/11-15)

Mr Durkan: The most recent change to be implemented relating to taxi legislation is the introduction of the Taxis Drivers' Licences Regulations (Northern Ireland) 2014. Rural proofing was part of the assessment process undertaken for these regulations and it was concluded that they would have no negative impact in rural areas.

Rural proofing will continue to be conducted as part of the development of all future taxi regulations.

Mr Swann asked the Minister of the Environment how many enforcement actions or prosecutions have taken place with regard to the operation of illegal taxis, broken down by district council area, in each of the last three years.
(AQW 37305/11-15)

Mr Durkan: The Driver & Vehicle Agency does not capture enforcement actions or prosecutions with regard to the operation of illegal taxis by district council area, therefore the information cannot be provided in the requested format.

I have included a table below (with figures derived from published statistics) of the number of taxi offences prosecuted at court and the number of Fixed Penalty Notices (FPNs) issued in Northern Ireland (with Belfast included) and Belfast only.

	2010/11	2011/12	2012/13	2013/14
Taxi offences prosecuted at Court in Northern Ireland (Belfast included)	175	217	154	172
Of which: Taxi offences prosecuted at Court in Belfast only	8	139	64	67
Taxi offences – FPNs * issued in Northern Ireland	0	257	277	323
Of which: Taxi offences – FPNs * issued in Belfast only	0	96	80	197

*FPNs were only introduced in Northern Ireland in February 2011.

Mr Swann asked the Minister of the Environment what support will be given to the introduction of meters in taxis that do not currently have a meter.
(AQW 37307/11-15)

Mr Durkan: I anticipate that advice will be provided to all taxi drivers on what types of meter and printers are permitted for use and where such devices can be purchased.

The average taxi in Northern Ireland covers around 25,000 miles per year. Using these figures, and spreading the estimated maximum cost of the entire taxi reform programme (including roof signage and periodic training) over the first year, a fare increase of less than 1.5 pence per mile should recover the outlay. If the cost is spread over the first three years, the increase is reduced to 1 penny per mile. This increase would pass the cost of the improved service to the customer and require the taxi industry to reverse recent trends to reduce fares.

My Department has examined the rationale and options for financial support to the taxi industry to mitigate the impact of the reforms. I have deferred the implementation of a number of elements to spread the costs, and my predecessor reduced initial costs for taxi operator licences. As the costs of improving taxi services should be passed to those who benefit from the improved services, and given the very modest fare rises required to achieve that, I have concluded not to progress further specific financial support.

Mr McGlone asked the Minister of the Environment whether his Department has introduced a policy or practice which leads to road safety issues being disregarded where an established access laneway exists to a proposed site for a single wind turbine.
(AQW 37308/11-15)

Mr Durkan: I can advise the Member that there has been no new policy or practice introduced which leads to road safety issues being disregarded where an established access laneway exists to a proposed site for a single wind turbine. A planning application for a single wind turbine will be considered with regard to Planning Policy Statement 18 'Renewable Energy' which was published in 2009. This policy requires that no part of a development will have an unacceptable impact on road safety.

More generally the Department's policy in respect of the access arrangements for development is set out in Planning Policy Statement 3 'Access Movement and Parking'. Policy AMP 2 'Access to Public Roads' states that planning permission will only be granted for a proposal involving direct access, or the intensification of the use of an existing access, onto a public road where the access will not prejudice road safety or significantly inconvenience the flow of traffic. Details of the current access standards are set out in Development Control Advice Note 15 'Vehicular Access Standards'.

Each planning application is assessed on a case by case basis, based on the site specific conditions. Transport NI will normally be consulted with respect to any proposals which include the creation of a new access or alteration and/or intensification of an existing access. In circumstances where an existing access is available to facilitate development proposals, the Department will generally expect this to be used, unless there is an opportunity to provide a more acceptable access arrangement, having regard to both road safety and local amenity considerations.

Mr McElduff asked the Minister of the Environment whether he has made representations to the British Government and European Commission regarding plans to build a new nuclear power plant at Hinkley Point in Somerset which is 240km from the Irish coast.
(AQW 37309/11-15)

Mr Durkan: At present, nuclear energy and nuclear installations are excepted matters under the Northern Ireland Act 1998 and, as such, are not within my Department's remit. My Department only has responsibility for monitoring the environment in Northern Ireland to assess the impact of nuclear facilities and other potential sources of radioactive discharge.

However, I can confirm that my predecessor, Alex Attwood, did make representations to the Government in relation to proposed nuclear power stations. He wrote to Chris Huhne, the then Secretary of State for the Department of Energy and Climate Change (DECC), in January 2012 expressing his concern about the potential environment impact of the proposed new nuclear power plant at Hinkley Point C and in particular the possible effect on the population of Ireland, north and south given the proximity of the proposed facilities.

In October 2012 Minister Attwood wrote to the Chief Executive of the Planning Inspectorate, Sir Michael Pitt, and to the then Minister of State for DECC, John Hayes MP, reiterating his concerns about the potential environment impact of all new nuclear power stations in England and Wales.

Mr Hazzard asked the Minister of the Environment how plans to designate land in the Mournes as Areas of Special Scientific Interest have been appropriately subject to an Equality Impact Assessment, specifically the effect they would have on the local farming community.
(AQW 37327/11-15)

Mr Durkan: Areas of Special Scientific Interest (ASSIs) are declared under the Environment (Northern Ireland) Order 2002. In terms of Equality Impact Assessment, prior to its introduction this legislation was subject to a full screening exercise and it was found that there was no evidence that this legislation will have any impact on equality issues.

Mr Hazzard asked the Minister of the Environment to outline the specific scientific reasons why he is choosing to designate land in the Mournes as an Area of Special Scientific Interest.
(AQW 37329/11-15)

Mr Durkan: My Department has declared three Areas of Special Scientific Interest (ASSIs) in the Mournes – Mournes Coast, White Water River and Western Mournes. These areas contain a variety of earth science, habitats and species interests. They have all been evaluated against standard scientific criteria such as size, diversity, naturalness and rarity and have been found to merit selection as ASSI, representing some of the best examples of their type in the North.

Mr Weir asked the Minister of the Environment whether secondary tariffs on public hire taxi meters are displayed in the vehicle on a tariff card in the same manner as the Belfast public hire tariff.
(AQW 37352/11-15)

Mr Durkan: Regulation 46(14) of the Public Service Vehicles (Conditions of Equipment, Fitness and Use) Regulations (Northern Ireland) 1995 requires all Belfast Public Hire taxis to exhibit a fares board. My understanding is that the purpose of this regulation for the Belfast Public Hire fare to be displayed in all Belfast Public Hire taxis was to increase customer protection. All secondary tariffs used by Belfast Public Hire taxis are required to be lower and my Department is, therefore, satisfied that such protection is maintained without a requirement for the secondary tariff to be displayed on the fares board.

No element of a tariff entered into a public hire taxi meter may exceed that element of the relevant regulated fare. The regulated tariff and the secondary tariff are both checked by DVA during the taximeter test.

Mr Frew asked the Minister of the Environment to detail (i) how many fixed penalties under section 8 of the Noise Act 1996 have been served by council officers since it came into operation, broken down by council; and (ii) the level of fixed penalty awarded each time.
(AQW 37358/11-15)

Mr Durkan:

(i) When the Noise Act 1996 came into operation, district councils had discretion as to whether they would adopt the provisions of the Act. Belfast City Council was the only council who adopted it. Chapter 2 of of The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, which came into operation on 1 April 2012, amended the 1996 Act to remove the requirement for adoption thereby allowing councils the discretion to use the Noise Act powers as and when it was deemed appropriate. To date Belfast City Council is the only council which has issued fixed penalty notices under the provisions of the Noise Act 1996. Figures are only available from the 2003-04 year onwards when the Department started to gather information annually for its report on Noise Complaint Statistics for NI. The number of fixed penalty notices issued by Belfast City Council are as follow:

- 2003-04 11
- 2004-05 16
- 2005-06 9
- 2006-07 6
- 2007-08 6
- 2008-09 8
- 2009-10 7
- 2010-11 14
- 2011-12 6
- 2012-13 23

(ii) The Department does not hold information about the level of fixed penalty awarded each time. This information may be available from Belfast City Council, Environmental Health Department, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

Mr Agnew asked the Minister of the Environment (i) for a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37363/11-15)

Mr Durkan: My Department put forward one resource funding bid at the October Monitoring round. This bid was for the re-instatement of part of the in-year reduction made during the June Monitoring round.

The outcome of the June Monitoring Round reduced my Department's baseline by 2.1% (£2.4 million). However, the baseline used by DFP to calculate the reduction included the De-rating Grant and Rates Support Grant both of which are paid over to Local Government. These grants totalling £44.1 million, represent 37.3% of my Department's non ring fenced resource budget for 2014-15.

I am however unable to apply the in-year reductions imposed on my Department to these Local Government Grants. The Rates Support Grant cannot be reduced in-year because of statutory restrictions on in-year reductions and the De-rating Grant cannot be reduced due to DFP's current policy of compensating councils for the effect of the statutory de-rating of certain premises.

Consequently as a result of these restrictions a proportionately higher reduction needs to be applied to other front line services delivered by my Department. A bid of £0.93 million was therefore put forward at the October Monitoring round to reinstate the amount of the reduction made during June Monitoring relating to the Local Government Grants baseline funding.

Whilst the bid cannot be regarded as inescapable or required to meet statutory obligations it was put forward under the heading of exceptional circumstances to ensure that a disproportionate reduction was not applied to other front line services delivered by my Department.

The bid form submitted to DFP as part of the October Monitoring process will be placed in the Assembly library for scrutiny ahead of the Assembly debate.

Lord Morrow asked the Minister of the Environment how many taxi operator licence holders have received a fine of £200 for breaches of taxi operator licensing by themselves or their affiliated drivers since May 2013.
(AQW 37374/11-15)

Mr Durkan: Since May 2013, 63 taxi operator licence holders have received a £200 Fixed Penalty Notice for breaches of taxi operator licensing by themselves or their affiliated drivers.

Mr Frew asked the Minister of the Environment what level of fixed penalty under section 8A(2)(a) of the Noise Act 1996 has been set by each local council.
(AQW 37382/11-15)

Mr Durkan: The Clean Neighbourhoods and Environment Act (NI) 2011 came into operation on 1 April 2012 and made amendments to the Noise Act 1996 which included section 8. This amendment enables district councils to determine the level of fixed penalty or, where a council does not use this power the level is prescribed at £100.

To date Belfast City Council is the only council which has issued fixed penalty notices. The Department does not hold information about the level of fixed penalty that has been set by Belfast City Council or any other district council. However, this information may be available from each individual council.

Mr Easton asked the Minister of the Environment whether the Driver and Vehicle Agency in Coleraine permitted private companies to access the personal details of local drivers.
(AQW 37383/11-15)

Mr Durkan: Vehicle registration and licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It was administered in Northern Ireland by the Driver & Vehicle Agency (DVA) under a formal agreement between the Department of the Environment and the Department for Transport (DfT) until 21 July 2014 when the agreement was terminated by DfT and the services centralised in the Driver and Vehicle Licensing Agency (DVLA) in Swansea.

In relation to the release of information, DVA was required to act in accordance with the policy as set by DfT. The relevant legislation permitting the release of information from the vehicles register is regulation 27 (1) (e) of the Road Vehicles (Registration and Licensing) Regulations 2002 which states "(1) The Secretary of State may make any particulars contained in the register available for use - … (e) by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him".

Under the guidance, some of the circumstances considered to be 'reasonable cause' include:

- matters of road safety ;
- events that occur as a result of vehicle use;
- the enforcement of road traffic legislation; and
- the collection of taxes.

Under the DfT policy on the release of data, DVA was required to release vehicle owner details to a range of bodies including car parking enforcement companies, solicitors, finance houses, property managers, insurance companies, mileage companies and garages. Each enquirer was required to give full details of why they wanted the information and how it would be used. These requests were evaluated in line with procedures and on a case by case basis, before deciding if the information would be disclosed.

An administration fee of £2.50 was charged to cover the cost of dealing with requests.

Mr Easton asked the Minister of the Environment whether the Driver and Vehicle Agency in Coleraine were permitted to sell the personal details of local drivers.
(AQW 37384/11-15)

Mr Durkan: Vehicle registration and licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It was administered in Northern Ireland by the Driver & Vehicle Agency (DVA) under a formal agreement between the Department of the Environment and the Department for Transport (DfT) until 21 July 2014 when the agreement was terminated by DfT and the services centralised in the Driver and Vehicle Licensing Agency (DVLA) in Swansea.

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Lord Morrow asked the Minister of the Environment whether meters fitted to the vehicles of the two largest private hire taxi companies are regulated by his Department; and if so, whether all meters are checked during Public Service Vehicle (PSV) tests and the exact meters recorded, and is then cross-checked during any departmental regulation examinations.
(AQW 37434/11-15)

Mr Durkan: The taximeters fitted in taxis licensed for Belfast Public Hire are subject to a regulated fare and are tested by the Driver & Vehicle Agency (DVA) at the time of the vehicle's annual PSV inspection. Taximeters fitted voluntarily in taxis licensed for Private Hire and Public Hire outside Belfast are not subject to a regulated fare and are therefore not tested by DVA.

DVA maintains a list of approved taximeter models. Each taximeter, fitted in a Belfast Public Hire taxi, is checked for approval and is tested to ensure the accuracy of its fare charging programme. These taximeters are also sealed in the vehicle to prevent their removal and to prevent tampering. DVA does not keep a record of the taximeter that is fitted in each vehicle.

Mr Flanagan asked the Minister of the Environment what discussions he has had with (i) representatives of the local motor trade; and (ii) officials within the Driver and Vehicle Agency to establish whether all the initial problems associated with the transfer of services to Swansea have been resolved.
(AQW 37459/11-15)

Mr Durkan: 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 licences 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.

As part of the transition process, DVLA undertook to liaise directly with stakeholders and industry representatives and I understand that they held a number of meetings with local traders throughout the changeover and since the function transferred.

Ms Sugden asked the Minister of the Environment, following the recent teenage road fatalities in Coleraine and Belfast, what assurances he can provide that his Department are doing all it can to work with other Departments and outside agencies to reduce the number of road deaths.
(AQW 37584/11-15)

Mr Durkan: I am extremely concerned by the number of road deaths this year. My sincere sympathy is with all of the families and communities affected by those tragedies.

As Minister with lead responsibility for road safety, I remain totally committed to the partnership approach that has so greatly reduced road casualties over the last 40 years. The Road Safety Strategy to 2020 sets out four strategic targets and 224 action measures to reduce deaths and serious injuries on our roads. We take a shared approach to implementation, working alongside many parts of government, the Police Service and other bodies. Some 118 of the Strategy action measures have already been completed or embedded in ongoing business, and there have been positive reductions against the Strategy's four targets.

This progress reflects a great deal of ongoing cooperation between my Department and our road safety partners and stakeholders. I chair a Ministerial Road Safety Group, meeting regularly with the Ministers for Regional Development and Justice and representatives of the emergency services, to explore road safety issues and drive forward improvements. Officials also liaise regularly on both an informal and a more formal basis. This partnership working includes the Road Safety Strategy Delivery Board which reports to me and is responsible for monitoring implementation of the Strategy.

I also convene the Road Safety Forum, where representation is drawn from the relevant government departments, statutory agencies, the emergency services and a range of other road safety stakeholders. All of the Forum members have a clear commitment and resolve to tackle road safety issues; the meetings provide an opportunity to exchange views on the Strategy and the way in which it is being implemented.

I cannot emphasise enough, however, that the vast majority of casualties on our roads are caused by human error. My Department and our road safety partners can educate, engineer and enforce, but ultimately each of us as individuals has to take personal responsibility for our attitudes and behaviours as road users.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 37097/11-15, whether fonaCAB signed a declaration stating they had an operating centre at Kingspan Stadium which was exempt from planning permission; and if so, to place a copy in the Assembly Library.
(AQW 37732/11-15)

Mr Durkan: If an operator wishes to add a new operating centre to their licence, they must provide evidence that the new premises has planning permission to be used as an operating centre or alternatively, sign a declaration that the premises is outside the scope of planning requirements.

In this instance, FonaCab provided a declaration confirming that the premises did not require planning permission.

It would not be appropriate to place a copy of the declaration in the Assembly Library.

Mr Ó hOisín asked the Minister of the Environment what progress has been made with the Department of Enterprise, Trade and Investment in relation to levies imposed on the disposal of end-of-life tyres.
(AQW 37794/11-15)

Mr Durkan: You previously asked a similar question in relation to what plans this Department had in place to recover the charges imposed by commercial operators for end-of-life tyre recycling. Regrettably, there was a typing error in the response, that should have stated that this would be a matter for the Department for Trade and Industry in Whitehall (DTI not DETI) to consider and take forward. I apologise for this error.

The Department has previously liaised with the Department of Business, Innovation and Skills (BIS) and the Department of the Environment, Food and Rural Affairs (Defra) in relation to ways of controlling and tracking end-of-life tyres but neither was convinced that such a system would be beneficial, cost effective or practical. Therefore, there are no plans currently to introduce a formal levy scheme in the UK.

The tyre levy scheme that is operated both here and in the rest of the UK is a voluntary agreement between the tyre retailer and the customer. As it is a reserved matter, neither DETI nor this Department has the powers to collect a used tyre levy. DOE also believes it is not appropriate to interfere in the operation and/or utilisation of the voluntary levy scheme, as imposed by the industry itself. Consequently, no progress has been made in relation to levies on end-of-life tyres.

Department of Finance and Personnel

Mr Allister asked the Minister of Finance and Personnel why priority AQW 28360/11-15 has not been answered; and whether, and when, he was supplied with a draft reply by officials.
(AQW 29576/11-15)

Mr Hamilton (The Minister of Finance and Personnel): This question has been answered.

Mr Allister asked the Minister of Finance and Personnel why AQW 29159/11-15 has not been answered.
(AQW 33247/11-15)

Mr Hamilton: This question has been answered.

Mr Allister asked the Minister of Finance and Personnel why AQW 28359/11-15 and priority AQW 28360/11-15, tabled in November 2013, have not yet been answered, despite further Assembly Written Questions seeking an answer.
(AQW 34497/11-15)

Mr Hamilton: These questions have been answered.

Mr McKay asked the Minister of Finance and Personnel what meetings he has had with the Minister of Health, Social Services and Public Safety since his appointment.
(AQW 35454/11-15)

Mr Hamilton: Since my appointment I have met with the Minister of Health, Social Services and Public Safety on several occasions to discuss his budget and public sector reform.

Mr Campbell asked the Minister of Finance and Personnel whether he will consider offering incentives to residents who provide information on the ownership of vacant and derelict domestic properties, whose ownership has proven difficult to establish, in pursuit of outstanding rates payments.
(AQW 36209/11-15)

Mr Hamilton: I do not intend to offer incentives to residents for information on property ownership.

Mr Allister asked the Minister of Finance and Personnel what recommendation the Head of Corporate Human Resources made in consequence of his fact-finding investigation into Mr Stephen Brimstone's treatment of Councillor Jenny Palmer.
(AQW 36461/11-15)

Mr Hamilton: This is not a matter for the Department of Finance and Personnel.

Mr Eastwood asked the Minister of Finance and Personnel to detail the (i) location; and (ii) number of vacant posts in the Northern Ireland Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; (e) Staff Officer; and (f) Deputy Principal grades, broken down by Department.
(AQW 36567/11-15)

Mr Hamilton: The information requested is set out in the attached table.

AQW 36567/11 - Location & Number of Vacant Posts in the NICS at AA, AO, EO2, EO1, SO & DP at 26 September 2014

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
DARD	0		0		3	1 Armagh	6.6	2 Omagh	4	1 Antrim	2	Stormont
						2 Stormont		4.6 Stormont		1 Cookstown		
										1 Londonderry		
										1 Stormont		
DCAL	0		0		0		0		1	Belfast		
DE	1	Bangor	1	Bangor	2	1 Bangor	3	Bangor	3	Bangor	2	Bangor
						1 Londonderry						

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
*DEL	0.5	Belfast	5	1 Bangor	8	2 Antrim	21	19 Belfast	14	1 Antrim	3	Belfast
				4 Belfast		1 Banbridge		1 Dungannon		11 Belfast		
						4 Belfast		1 Londonderry		1 Carrickfergus		
						1 Londonderry				1 Newtownabbey		
DETI	1	Belfast	0		0		1	Belfast	0		2	Stormont
DFP	2	Belfast	2	1 Belfast	2	Belfast	2	Belfast	3	2 Belfast	8	3 Bangor
				1 Londonderry						1 Londonderry		5 Belfast
DHSSPS	0		1.6	Stormont	3	Stormont	2	Stormont	3	Stormont	2	Stormont
DOE	0		0		0		3	1 Belfast	0		0	
								2 Coleraine				
DOJ	0		6	Belfast	2	Belfast	2	Belfast	6	4 Belfast	2	Stormont
										1 Newtownards		
										1 Stormont		
DRD	1	Belfast	0		1	Belfast	0		1	Craigavon	1	Belfast
DSD	0		1	Belfast	0		0		0		0	
OFMDFM	0		0		1	Stormont	1	Stormont	1	Stormont	1	Stormont
PPS	0		0		4	Belfast	0		1	Newry	0	
Total	5.5		16.6		26		41.6		37		23	
Total Vacancies	**37288**											

Notes

* DEL 16.5 of the vacancies listed (0.5 AA, 1 AO, 5 EO2, 6 EO1, 3 SO and 2 DP) are currently on hold awaiting the outcome of staffing reviews.

Mr McQuillan asked the Minister of Finance and Personnel for his assessment of the impact a rise in interest rates will have on the local housing market.
(AQW 36788/11-15)

Mr Hamilton: The housing market in Northern Ireland is now more normalised with a healthier relationship between average salary and house prices. Clearly a rise in interest rates will impact on the cost of borrowing and consequently housing demand. However, increases when they come, are expected to be gradual.

Mr Kinahan asked the Minister of Finance and Personnel what consideration has been given to the clauses relevant to his Department in the Business, Enterprise and Employment Bill currently passing through Westminster.
(AQW 36828/11-15)

Mr Hamilton: The Small Business, Enterprise and Employment Bill was introduced in the House of Commons on 25 June 2014.

Clauses 1 and 2 of the Bill (assignment of receivables) substantively deal with improving access to finance for businesses - particularly small businesses. In Northern Ireland, this policy area is within the purview of the Department of Enterprise, Trade and Investment, although it has an incidental effect on the law of contract, which is within my remit. At the request of the Minister of Enterprise Trade and Investment, I have considered that incidental effect and, on the basis of the information currently available, I have said that I have no objection to what is proposed.

Clauses 140 – 142 (public sector exit payments) implement Treasury policy on the recovery of exit payments made to high earners who leave the public sector but are subsequently re-employed there within a short period of time. Public sector compensation and recovery arrangements are broadly devolved in Northern Ireland (specific exceptions or reservations may apply). The Coalition Government favours a uniform approach across the whole of the public service for the recovery of these

exit payments. Consequently Treasury is proposing that this Bill be used to effect the necessary changes in the transferred field. I am currently considering this proposal.

The extension of all of these provisions to Northern Ireland will require Executive agreement and the passing of a legislative consent motion in the Assembly.

Mr Copeland asked the Minister of Finance and Personnel, pursuant to AQW 35728/11-15, to detail (i) the findings of the inquiry; and (ii) how is it not a matter for his Department considering he was asked by the Head of the Northern Ireland Civil Service to carry out the investigation.
(AQW 36956/11-15)

Mr Hamilton: This is not a matter for the Department of Finance and Personnel.

Mr Hussey asked the Minister of Finance and Personnel, pursuant to AQW 35472/11-15, to detail (i) when he will provide an answer; and (ii) why the question has not been answered in the required timeframe.
(AQW 36994/11-15)

Mr Hamilton: This question has been answered.

Mr McCallister asked the Minister of Finance and Personnel to detail the annual (i) number of overnight trips; and (ii) total expenditure for tourists in each of the last three years, broken down by constituency.
(AQW 37101/11-15)

Mr Hamilton: The number of overnight trips and total overnight tourism expenditure at Local Government District averaged over the calendar years 2011 and 2012 are shown in the attached table.

Figures relate to domestic and non-domestic tourism and are based on household and passenger surveys. Figures for constituencies are unavailable. Local area figures for 2013 will be published later this year.

Overnight trips and associated tourism expenditure by Local Government District, 2011-2012

Local Government District	Overnight Trips (000s)	Overnight tourism expenditure (£m)
Antrim	145	21
Ards	116	11
Armagh	70	11
Ballymena	119	16
Ballymoney	15	3
Banbridge	42	4
Belfast	1,114	232
Carrickfergus	59	7
Castlereagh	26	5
Coleraine	489	75
Cookstown	36	4
Craigavon	52	5
Derry	202	32
Down	284	35
Dungannon	73	24
Fermanagh	275	43
Larne	41	7
Limavady	114	15
Lisburn	100	17
Magherafelt	28	4
Moyle	177	21
Newry & Mourne	198	26

Local Government District	Overnight Trips (000s)	Overnight tourism expenditure (£m)
Newtownabbey	77	7
North Down	151	25
Omagh	41	4
Strabane	36	7
Northern Ireland	**4,079**	**662**

* Data are rounded to the nearest thousand

Mr Agnew asked the Minister of Finance and Personnel to detail his Department's estimation of the total amount of inescapable bids which will be made by each Department in the 2014 October monitoring round.
(AQW 37214/11-15)

Mr Hamilton: As part of the in-year monitoring process, my officials assess and prioritise bids submitted by departments for additional funding. This process helps to inform my recommendations to the Executive on the allocation of resources.

My Statement to the Assembly on 13th October detailed Resource expenditure allocations of £125 million in relation to bids that the Executive has deemed inescapable. The Executive has not yet considered the Capital expenditure position in the October Monitoring Round. Once agreed by the Executive, I will advise the Assembly on the outcome.

Mr Campbell asked the Minister of Finance and Personnel to detail the (i) number; and (ii) percentage of (a) Protestants; and (b) Roman Catholics applying for, and obtaining, employment at Administrative Assistant and Administrative Officer level in the Northern Ireland Civil Service in 2013.
(AQW 37336/11-15)

Mr Hamilton: The requested information is provided in the tables overleaf.

Applicants to Administrative Officer grade in 2013

	Protestant		Catholic	
Competition Type	**No.**	**[%]**	**No.**	**[%]**
Administrative Officer	8381	47.1	9398	52.9

Notes

1 Eligible applicants.

2 Includes applications to both permanent and temporary jobs.

3 Excludes applicants whose community background is not determined or missing.

4 No Administrative Assistant competition was held in 2013.

Appointees to the Administrative Assistant and Administrative Officer grades during 2013

	Protestant		Catholic	
Competition Type	**No.**	**[%]**	**No.**	**[%]**
Administrative Assistant	67	53.6	58	46.4
Administrative Officer	79	56.0	62	44.0

Notes

1 Excludes appointees whose community background is not determined or missing.

2 Includes appointments to both permanent and temporary jobs.

Mr Easton asked the Minister of Finance and Personnel to detail the current levels of unemployment in North Down compared to the rest of Northern Ireland.
(AQW 37445/11-15)

Mr Hamilton: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the percentage of adults who are currently unemployed in the North Down District Council Area (DCA) is not available from this source due to sample size constraints.

The attached table is sourced to the claimant count measure of unemployment. This shows the number of persons claiming unemployment related benefits at September 2014 and these figures as a percentage of the resident working age population.

Table 1 - Claimant Count at September 2014

Area	September 2014	
	Number of Claimants	Rate (% of working age 16-64)
North Down DCA	1,581	3.2%
Northern Ireland	52,377	4.5%

Ms P Bradley asked the Minister of Finance and Personnel for an update on the equal pay settlement for civil servants who worked for the PSNI and the Northern Ireland Office.
(AQW 37447/11-15)

Mr Hamilton: As I have previously stated, it has been clearly established that there is no valid equal pay claim upon which to base a settlement for this group. However, the paper I circulated to Executive colleagues before the summer recognises the moral argument put forward and I hope it will satisfactorily resolve the issue for this group of staff. I now await the agreement of Executive colleagues for the paper to be brought forward for discussion since my recommendation and any expenditure will require their approval. While I appreciate the frustration of staff affected by this issue, the matter is now in the hands of the Executive.

Department of Health, Social Services and Public Safety

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail the cost of conferences, including room hire, hospitality, travel and associated fees, broken down by Health and Social Care Trust, in each of the last five years.
(AQW 35800/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): Information on conferences, including room hire, hospitality, travel and associated fees, is not available due to disproportionate cost.

Mr Allister asked the Minister of Health, Social Services and Public Safety how many Health and Social Care Trusts are committed to implementing Prostate Cancer UK's Quality Checklist.
(AQW 36915/11-15)

Mr Wells: It is the responsibility of the Health and Social Care Board (HSCB) and HSC Trusts to ensure that prostate cancer services are up to modern quality levels. The Prostate Cancer UK quality checklist is an excellent guide to the standard of care needed to treat prostate cancer.

Of the 15 standards detailed in the Prostate Cancer UK Quality Checklist, 13 are fully or substantially implemented right across the HSC in NI. With regard to the remaining two standards, the position is as follows:

- Standard 7:- The HSC is working towards a position in which all patients who need to access a specialist nurse will be able to do so.
- Standard 10:- Currently GPs receive a letter outlining patients' care and proposed plan and all patients are subsequently advised verbally of their care plan. The HSC is working towards a position in which all patients receive a written care plan.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety how he is supporting front line staff in Emergency Departments to cope with potential rising demand in the winter months.
(AQW 36980/11-15)

Mr Wells: I look to the Health and Social Care (HSC) Board to work with the HSC Trusts to ensure that effective plans are in place to respond to anticipated winter pressures on emergency departments. The causes of the pressure and the potential solutions require a whole system approach within the HSC. My Department's October Monitoring bid therefore included a bid for additional investment to further reduce waiting times in emergency departments; introduce 7-day working and extended hours; develop new models of acute medicine; enhance emergency department capacity; manage increased demand during the winter months; and, address pressures within 24/7 acute, community and primary care working. As I said in my statement to the Assembly on 14 October 2014 about the outcome of the October Monitoring round, I will endeavour to allocate the funding to those areas that will minimise the impact on front line patient care.

The unscheduled care Task Group chaired jointly by the Chief Medical Officer and the Chief Nursing Officer, has also been working with the HSC to oversee and
co-ordinate the implementation of the recommendations of the RQIA's review of unscheduled care.

Mr Easton asked the Minister of Health, Social Services and Public Safety how much the South Eastern Health and Social Care Trust has spent on electricity in each of the last three financial years.
(AQW 36982/11-15)

Mr Wells: The South Eastern Health and Social Care Trust's spend on electricity in each of the last three years is set out in the table below:

2013/14 £	2012/13 £	2011/12 £
2,987,140	2,848,543	2,744,683

Ms Sugden asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to assist the Northern Ireland Ambulance Service to meet their target of responding to an average of 72.5 per cent of 'Category A' calls.
(AQW 37019/11-15)

Mr Wells: My Department's cumulative target is that by March 2015, 72.5% of Category A (life threatening) calls should be responded to within 8 minutes, with a minimum of 67.5% in each Local Commissioning Group area. I am looking to the Health and Social Care Board (HSCB) and the Northern Ireland Ambulance Service Trust (NIAS) to work to ensure that this target is achieved.

The HSCB has been working closely with NIAS to secure improvements in its Category A response times. I am advised that NIAS is recruiting additional personnel to fill existing vacancies to provide greater confidence of provision of ambulance cover and reduce reliance on overtime, which will enable NIAS to target available resources to improve performance. The HSCB has worked with NIAS in relation to emerging pressures as a consequence of emergency department changes, including the allocation of additional funding; the appointment of Hospital Ambulance Liaison Officers in four of the major emergency departments to work with the emergency department staff to expedite and improve ambulance turnaround times; and development of a NIAS Dashboard of indicators to manage the flow of ambulance-borne activity.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the travel expenses paid to senior management in the South Eastern Health and Social Care Trust in the last three financial years.
(AQW 37078/11-15)

Mr Wells: The table below sets out the travel expenses paid to senior management in the South Eastern Health and Social Care Trust in the last three financial years.

For the purposes of this question 'senior management' has been interpreted as staff at director level and above (including Chief Executives).

Financial year	Travel Expenses
2013/14	£17,173
2012/13	£12,357
2011/12	£12,293

Mr B McCrea asked the Minister of Health, Social Services and Public Safety to detail (i) the process for social services referrals of vulnerable adults to faith based organisations; and (ii) the process for providing financial assistance to these organisations.
(AQW 37089/11-15)

Mr Wells: I am interpreting the term vulnerable adult in the broadest sense to mean a person who is in need of care and support.

(i) Social Work and Social Care practitioners may refer vulnerable adults to a range of organisations, including faith-based organisations, who provide appropriate social care and/or community based support services that meet identified or assessed need of individuals. Referrals are made to those organisations or groups that are most likely to meet that need and achieve the best outcome for the vulnerable adults, either through a commissioned service or on a voluntary basis.

(ii) When new services are being procured from outside the statutory sector, and as existing contracts or Service Level Agreements come to the end of their present contractual period, the agreed process is an open tender process. This is advertised through the media, inviting potential suppliers or providers to bid in response to the service specification that has been stipulated.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail (i) the number of community hospitals currently being used to capacity; and (ii) the number of Health Service beds in use in private nursing facilities, in each of the last three years.
(AQW 37107/11-15)

Mr Wells: Information on the average number of occupied and available beds within community hospitals is published on an annual basis in the Northern Ireland Hospital Statistics:

(i) Inpatient and Day Case Activity publication (Table 2a) and is available to view or download from: http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm

(ii) Information on the number of Health Service beds in use in private nursing facilities is not collected centrally and was requested from the five Health and Social Care (HSC) Trusts. Their responses are detailed in Table 1 below.

Table 1: Health Service Beds in Use in Private Nursing Facilities

HSC Trust	2013/14	2012/13	2011/12
Belfast	42*	42	29
Northern	-	-	-
South Eastern	80	76	60
Southern	-	-	-
Western	-	-	-

* Refers to 1 April 2013 to 31 January 2014

'-' Denotes information could not be provided.

Mr Anderson asked the Minister of Health, Social Services and Public Safety how many firefighters are stationed in Upper Bann.
(AQW 37108/11-15)

Mr Wells: Northern Ireland Fire and Rescue Service (NIFRS) station boundaries do not directly mirror constituency boundaries. There are NIFRS stations in Portadown, Banbridge, Lurgan and Dromore, with a total of 104 Firefighters stationed in the area.

Mr Hussey asked the Minister of Health, Social Services and Public Safety what translation services are provided when a non-English speaking prisoner is taken to hospital.
(AQW 37148/11-15)

Mr Wells: The South Eastern and Social Care Trust has responsibility for the delivery of healthcare within the four Northern Ireland Prisons.

Translation services utilised by the South Eastern and Social Care Trust are the same as those used within the wider Health and Social Care family. Where face to face interpreting services are required the Regional Interpreting Service is accessed and where telephone interpreting services are appropriate the 'Big Word' is used. The Big Word is a global technology enabled language solution provider.

When a prisoner is transferred to an external hospital, it is the responsibility of the hospital to arrange the provision of an interpreter. Prison healthcare staff are responsible for identifying any specific requirements such as an interpreter within the transfer documentation.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to provide a breakdown of the delivery of the different types of advanced radiotherapy techniques, in each of the last three years.
(AQW 37178/11-15)

Mr Wells: Advanced radiotherapy techniques available at the Northern Ireland Cancer Centre include intensity modulated radiotherapy (IMRT) and stereotactic ablative body radiotherapy (SABR). IMRT was introduced in 2008 and SABR for lung cancer in 2013/14. Activity for the last three years is set out below.

Year	2011/12	2012/13	2013/14	2014/15 (Apr –Sept inc)
Inverse planned IMRT	107	825	927	291
Forward Planned IMRT	444	143	439	388
Total IMRT	551	968	1366	679
SABR Lung	0	0	10	14

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the cancers that have been specifically targeted by advanced radiotherapy in the last three years.
(AQW 37179/11-15)

Mr Wells: Advanced radiotherapy techniques including intensity modulated radiotherapy (IMRT) and stereotactic ablative body radiotherapy (SABR) are provided for the radical treatment of head and neck cancers, lung cancer, prostate cancer and all breast cancer. Other cancers (e.g. lower or upper GI, gynaecological cancers) can also be treated using IMRT where a clinical oncologist determines this would be more clinically beneficial than conventional treatment. IMRT was introduced in 2008 and SABR for lung cancer in 2013/14.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the cancers that are not being treated with advanced radiotherapy techniques.
(AQW 37180/11-15)

Mr Wells: The decision whether to use advanced or more conventional conformal treatment is a clinical decision determined by the consultant oncologist on the basis of which treatment plan is most suitable for any individual patient in view of specific disease and anatomical factors.

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many patients have been referred to other treatment centres to receive advanced radiotherapy treatment due to treatment not being provided in the hospital they have been attending.
(AQW 37181/11-15)

Mr Wells: The Belfast HSC Trust is the only Trust delivering advanced radiotherapy treatment in Northern Ireland. This treatment is delivered in the Northern Ireland Cancer Centre, although the Northern Ireland Cancer Centre also refers patients with a range of brain conditions to England for stereotactic radiotherapy in England via the Extra Contractual Referral (ECR) process.

The number of patients referred to the Northern Ireland Cancer Centre for radiotherapy treatment from other HSC Trusts is not available, as this would involve a trawl of individual patient records and could only be provided at disproportionate cost.

In the past financial year (2013/14), 43 patients were sent to treatment centres outside Northern Ireland to receive advanced radiotherapy treatment.

Mr Agnew asked the Minister of Health, Social Services and Public Safety (i) for a a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37207/11-15)

Mr Wells: Current expenditure bids totalling £130m were submitted by my Department in the October monitoring round as follows:

Bid	**Amount £m**
Unscheduled Care/Patient Flow	35.0
Specialist Services	10.0
Elective Care/Diagnostics	27.0
TYC Implementation	2.6
Public Health Initiatives	3.5
Resettlements	1.9
Other Departmental Priorities	13.0
Pay Awards	15.0
Pharmacy	18.0
Departmental ALBs	4.0
	130.0

My Department is facing considerable financial challenges in 2014/15, with some £160 million of additional resources estimated to be required in order to balance the books. Some of these have been addressed through £80m of additional Executive funding, but some £70m remains to be managed. I am unclear which debate the member refers to, though placing a copy of bids in the Assembly Library would not be normal practice.

Mr Beggs asked the Minister of Health, Social Services and Public Safety to detail the current number of specialist diabetic nurses in each Health and Social Care Trust area.
(AQW 37209/11-15)

Mr Wells: The headcount and whole-time equivalent (WTE) numbers of diabetes nurse specialists employed by each Health and Social Care Trust are shown in the table below.

HSC Trust	Headcount	Whole-Time Equivalent
Belfast	17	14.61
Northern	15	12.68
South Eastern	16	14.75
Southern	8	7.27
Western	15	12.88
Total	**71**	**62.19**

Source: HSC Trusts

Mr McKinney asked the Minister of Health, Social Services and Public Safety for a breakdown of the cost of paramedic training conducted by the Northern Ireland Ambulance Service in the last three years.
(AQW 37213/11-15)

Mr Wells: The two year Paramedic-in-Training Programme delivered by the Regional Ambulance Training Centre costs approximately £41k per trainee. NIAS has trained 54 Paramedics in three cohorts over the last three calendar years at a total cost of £2.214m. A further 17 trainees are currently progressing through the programme with an anticipated completion date of February 2015.

All 32 trainees in the first two cohorts have been successful in achieving employment of which 26 are currently on temporary contracts. A further 22 trainees in the third cohort have recently completed their training and registered to apply for posts.

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many people completed Northern Ireland Ambulance Service training and were successful in achieving employment as a paramedic, in the last three years.
(AQW 37223/11-15)

Mr Wells: The two year Paramedic-in-Training Programme delivered by the Regional Ambulance Training Centre costs approximately £41k per trainee. NIAS has trained 54 Paramedics in three cohorts over the last three calendar years at a total cost of £2.214m. A further 17 trainees are currently progressing through the programme with an anticipated completion date of February 2015.

All 32 trainees in the first two cohorts have been successful in achieving employment of which 26 are currently on temporary contracts. A further 22 trainees in the third cohort have recently completed their training and registered to apply for posts.

Mr McKinney asked the Minister of Health, Social Services and Public Safety how many paramedics are still on temporary contracts following the completion of Northern Ireland Ambulance Service training in the last three years.
(AQW 37224/11-15)

Mr Wells: The two year Paramedic-in-Training Programme delivered by the Regional Ambulance Training Centre costs approximately £41k per trainee. NIAS has trained 54 Paramedics in three cohorts over the last three calendar years at a total cost of £2.214m. A further 17 trainees are currently progressing through the programme with an anticipated completion date of February 2015.

All 32 trainees in the first two cohorts have been successful in achieving employment of which 26 are currently on temporary contracts. A further 22 trainees in the third cohort have recently completed their training and registered to apply for posts.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the levels of sick absence amongst paramedics employed by the Northern Ireland Ambulance Service, in the last three years.
(AQW 37226/11-15)

Mr Wells: I am assured that the Northern Ireland Ambulance Service (NIAS) as employer, continues to engage with staff and Trade Union Side through agreed, established processes to address issues and concerns, highlight the positive aspects in the service and commend efforts, while acknowledging and addressing negative aspects to learn and improve.

The table below sets out the levels of sick absence amongst Paramedics (including Rapid Response Vehicle (RRV) Paramedics) employed by the NIAS, in the last three years.

Fin Yr	Month	No. of Days
2011/12	Sep-11	470.3
2011/12	Oct-11	516.4

Fin Yr	Month	No. of Days
2011/12	Nov-11	543.8
2011/12	Dec-11	776.3
2011/12	Jan-12	801
2011/12	Feb-12	693
2011/12	Mar-12	755
2012/13	Apr-12	532.3
2012/13	May-12	549.5
2012/13	Jun-12	576.2
2012/13	Jul-12	620
2012/13	Aug-12	595.8
2012/13	Sep-12	483.2
2012/13	Oct-12	465.2
2012/13	Nov-12	563.5
2012/13	Dec-12	859.5
2012/13	Jan-13	819.1
2012/13	Feb-13	721.6
2012/13	Mar-13	979.6
2013/14	Apr-13	812.3
2013/14	May-13	656.4
2013/14	Jun-13	489.6
2013/14	Jul-13	572
2013/14	Aug-13	505.2
2013/14	Sep-13	668.5
2013/14	Oct-13	793.1
2013/14	Nov-13	795.6
2013/14	Dec-13	1117.9
2013/14	Jan-14	900.3
2013/14	Feb-14	1680
2013/14	Mar-14	1667.9
2013/14	Apr-14	1708.8
2013/14	May-14	1718.5
2013/14	Jun-14	1924
2013/14	Jul-14	2084.4
2013/14	Aug-14	1149.9

Mr Campbell asked the Minister of Health, Social Services and Public Safety whether he plans to launch a new consultation on the fluoridation of the public water supply.
(AQW 37228/11-15)

Mr Wells: It is appropriate that I should give consideration to the fluoridation of the water supplies in Northern Ireland.

If a proposal to fluoridate the water supplies is made, the appropriate evidence from reputable scientific and medical sources will be considered, and we are required under, The Water and Sewerage Services (Northern Ireland) Order 2006, to consult, and ascertain, public opinion. Should such a consultation proceed, we would welcome the views of all interested parties, at that time.

Mr Copeland asked the Minister of Health, Social Services and Public Safety to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37240/11-15)

Mr Wells: The cash balances held within commercial bank accounts as at the commencement of business 1 Oct 2014 was as follows:

	Cash balances as at commencement of business 1 Oct 2014 £m
HSCB / PHA	1.08
BHSCT	22.56
NHSCT	4.29
SEHSCT	1.79
SHSCT	3.47
WHSCT	2.87
NIAS	0.17
NIBTS	0.24
NIGALA	0.03
NIMDTA	0.20
BSO	1.39
PCC	0.04
RQIA	0.03
NISCC	0.12
NIPEC	0.02
NIFRS	1.80

All other balances relating to reserves are formally produced and audited at the end of each financial year (31 March).

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30550/11-15, when a regional network of professionals with experience of working with Myalgic Encephalomyelitis and Chronic Fatigue Syndrome patients will be established.
(AQW 37259/11-15)

Mr Wells: I have been advised that a review of services established in Scotland and interim results of a pilot in the Northern Health and Social Care (HSC) Trust have identified the need for Occupational Therapy, Physiotherapy, Psychology and Medical input at regional level to support GPs who will manage the great majority of care for sufferers of ME/CFS and provide specialist programmes where necessary.

The final evaluation report will be available by the end of November and a specification for the service will be prepared by the end of January, together with an assessment of resources already available within the HSC Trusts.

Further implementation will depend on the availability of resources and recruitment timescales for any additional staff required.

Mr Dunne asked the Minister of Health, Social Services and Public Safety for his assessment of the impact that the introduction of a minimum unit price for alcohol would have on the health and wellbeing of the general public.
(AQW 37260/11-15)

Mr Wells: The price at which some supermarkets sell alcohol, sometimes cheaper than bottled water, is damaging to individuals, communities, and families. Therefore I am determined to take action to address alcohol's affordability, and I believe this is vital given that alcohol is 67% more affordable now than it was in 1980.

236 people died last year and 12,255 people were admitted to hospital from alcohol related disease. It is estimated that the full social cost to the Northern Ireland economy is up to £900m per year. I believe Minimum Unit Pricing offers a targeted and measured response to the growing concerns about the effects of alcohol harm on our society.

I have considered the research commissioned to examine the effects of MUP in Northern Ireland and I am currently discussing the way forward with the Minister for Social Development and hope to make an announcement soon. We will also continue to watch developments in Scotland, England and Europe very closely.

However, minimum unit pricing is only one part of our approach to this issue, and it is important we take a range of actions, including education and early intervention and providing services for those to need additional support, to address alcohol misuse across the population.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36802/11-15 and his statement that "It is important that solutions adopted at each site must fit the particular needs and circumstances of each individual location", for his assessment of whether a charge of £0.70 per hour for parking at the South West Acute Hospital is appropriate.
(AQW 37302/11-15)

Mr Wells: The decision to charge £0.70 per hour for car parking at the South West Acute Hospital was set by the Western Health and Social Care Trust in September 2012 and is consistent with my Department's policy on car parking provision and management in the Health and Social Care (HSC) sector.

The revenue generated is used to cover the costs of the provision and maintenance of car parking including the associated security costs. In the event there is a surplus, it is reinvested in patient services. This is in accordance with the Department's policy on car parking provision.

Mr Allister asked the Minister of Health, Social Services and Public Safety (i) how many places are available on courses for nurses who wish to return to practice; (ii) where these courses are offered; and (iii) what is the ratio of applications to available places.
(AQW 37323/11-15)

Mr Wells: The Return to Practice Programme is delivered at the University of Ulster (UU). Currently the University has 32 student admissions per year.

Over the last four years, of the applicants that were eligible, approximately 40% were successful in gaining a place on the course following short listing and interview.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for an overview of the current provision of out-of-hours GP services in Strabane.
(AQW 37325/11-15)

Mr Wells: The Health & Social Care Board (HSCB) commissions GP Out of Hours (OOHs) services in the Western Trust area from Western Urgent Care (WUC) which operates 5 GP OOHs bases including Strabane.

When a patient in the Strabane area contacts GP OOHs services, the service is structured so that they will be seen in the local centre. However, should the situation arise that when a patient contacts the OOHs service and there is no GP available in that centre at that time, then the patient will be provided with an appointment, at a later time, to see a GP at the Strabane centre. WUC make the necessary arrangements to have a GP travel from either the Altnagelvin or Omagh base to see those patients. Should patients wish to be seen sooner they are offered an appointment at the GP OOHs centre in Altnagelvin.

An analysis of activity in the Strabane area shows that from March 2014 until September 2104 there have been 79 occasions where a GP was not in place for the whole of the evening in Strabane. As previously indicated on each of these evenings all patients were offered an appointment in the Strabane centre.

Patients who need to see a doctor or nurse continue to do so within the Northern Ireland Quality Standards depending on the urgency of the case. Furthermore, any patient in the area who requires a home visit will be offered one. It should be noted that access to the Strabane centre is by appointment only, and patients should always ring for advice before attending the centre.

Given the demand being placed on GP OOHs it is essential that patients understand that the OOHs service is designed to deal with urgent calls only and that patients with non-urgent needs are best dealt with during the day at their local GP surgery, via self-care or accessing their local community pharmacy.

Mr Dunne asked the Minister of Health, Social Services and Public Safety what plans his Department has to regulate private ambulances which are hired to provide medical cover for sporting and public events.
(AQW 37333/11-15)

Mr Wells: There is no provision at present for the regulation of private ambulances in Northern Ireland. The introduction of regulation will require changes to legislation or new legislation, and the issue is being considered by my department.

Mr Dunne asked the Minister of Health, Social Services and Public Safety for his assessment of the viability of an air ambulance service.
(AQW 37334/11-15)

Mr Wells: My Department is in receipt of a report from the Health and Social Care Board on the feasibility and appropriateness of establishing a dedicated Helicopter Emergency Medical Service in Northern Ireland. In addition, Departmental officials are participating in a working group led by the Department of Health in the Republic of Ireland to make recommendations on how best to provide a dedicated Emergency Aeromedical Support service in the Republic, including recommendations in relation to the potential for expansion of the geographical reach of the service, including an all-island

service. The group's report is not yet published. I will wish to consider the recommendations of both reports carefully before making a decision about the viability of an air ambulance service.

Mr Frew asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36062/11-15, what efforts are being made to reduce waiting times on arrival for pre-arranged antenatal appointments in Braid Valley Hospital.
(AQW 37354/11-15)

Mr Wells: Every effort is made to ensure that women attending antenatal appointments are seen on a timely basis.

Clinics are block booked as there are a number of midwives and doctors in attendance and who the woman sees is dependent on the care pathway she has chosen. Sometimes several women will need to see the consultant attending the clinic and this may result in a longer waiting time. Midwives are responsible for ensuring that each woman knows who or what she is waiting for and is made aware of any unexpected delays. The midwives are now proactively trying to ensure that the twice weekly clinics in Braid Valley are balanced in terms of numbers attending.

The Trust continually reviews how services are provided taking into account the principle of 'the right patient being seen by the right person at the right time in the right place' and build on other recommendations outlined in the regional Maternity Strategy.

There are a number of ongoing initiatives, aimed at improving the provision of antenatal care, particularly for those patients who are considered high risk which should alleviate the waiting times in other clinics.

Mr Hazzard asked the Minister of Health, Social Services and Public Safety for an update on the implementation of Phase One of Transforming Your Care in South Down and to detail (i) the lessons learnt from this process; and (ii) when the implementation of Phase Two will commence.
(AQW 37378/11-15)

Mr Wells: Implementation of Transforming Your Care is being taken forward on an ongoing rather than a phased basis. Within the South Down area implementation work is ongoing, for example, in respect of reform to reablement services, self directed support, new ambulance service protocols and resettlement of long stay mental health and learning disability patients into the community. A number of Integrated Care Partnerships are also being operated in the South Down area.

In respect of the phases for TYC, I believe that the Member for South Down may be referencing the implementation support which has been provided to TYC over recent months. Phase one of this implementation support involved challenge and further development of local reform plans – including those of the South Eastern and Southern Trusts. The HSCB has moved into a further phase of this implementation support; this phase will be taken forward as a series of discrete work packages.

A process is in place to ensure that lessons are identified and considered as part of the implementation support work. This learning will be applied as reform is taken forward across the health and social care system in Northern Ireland.

Mr Hazzard asked the Minister of Health, Social Services and Public Safety to detail (i) the reasons why the South Eastern Health and Social Care Trust are frequently not meeting the thirteen week target for Psychological Assessment; (ii) what plan is in place to deal with the gap in services; and (iii) whether he will commit additional finance if necessary to tackle the problem.
(AQW 37379/11-15)

Mr Wells:

(i) The South Eastern Trust Clinical Psychology and Psychological Therapies Service achieves the thirteen week access target for Children's Services, Learning Disability Services and Neurodisability Services. Due to increasing demand and limited resources the Trust has been unable to meet the thirteen week access target for Mental Health, Older Adult and Health Psychology services.

(ii) The Service has developed a Recovery Action Plan to address this ongoing breach. The Recovery Action Plan includes:

- investment proposals seeking additional funding for posts;
- measures to ensure productivity is at required level;
- implementation of caseload management strategies and partial booking arrangements for new appointments; and
- training and supporting staff in generic services to deliver low intensity psychological interventions which should reduce referral rates to specialist Psychological Therapy Services.

(iii) A Strategy for the Development of Psychological Therapies Services was published by the Department in 2010 and was underpinned by an additional £4.4m per annum. A further £1m was invested last year by the Health and Social Care Board (HSCB) in primary mental health. This investment will train existing staff on "talking therapies" and provide greater access for GPs to psychological therapies. The HSCB is also establishing Primary Care Talking Therapy Hubs in each Trust. The current expenditure on psychological therapies is around £6.5m.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the prevalence and incidence of Chiari Malformation and Syringomyelia.
(AQW 37380/11-15)

Mr Wells: Information on the prevalence of Chiari Malformation and Syringomyelia is not available. Information on the number of admissions and the number of individuals admitted to HSC hospitals in Northern Ireland is detailed in the table below.

Year	Admissions	Individuals admitted
2011/12	35	28
2012/13	39	30
2013/14	31	29

Source: Hospital Inpatient System

Notes

1. Admissions are estimated using death and discharge episodes.
2. Individuals are approximated by matching records on Health and Care Number.
3. Chiari Malformation has been defined using International Classification of Disease (revision 10) (ICD-10) code Q07.0, searched for in the primary diagnosis field.
4. Syringomyelia has been defined using ICD-10 code G95.0, searched for in the primary diagnosis field.

Mr Allister asked the Minister of Health, Social Services and Public Safety whether his Department will be making a formal response the consultation by the Department of Justice on the liberalisation of Northern Ireland's abortion law.
(AQW 37385/11-15)

Mr Wells: Departments do not tend to formally respond to public consultations of other Departments. Health officials provided medical and policy advice to the Department of Justice as required during the development of their consultation document.

As this issue is cross cutting and controversial, I would expect a discussion to take place between Ministers at the Executive table, to allow consideration of all views.

Mr Allister asked the Minister of Health, Social Services and Public Safety whether he is satisfied as to the value for money and necessity for the layer of Assistant Directors across the Health and Social Care Trusts.
(AQW 37386/11-15)

Mr Wells: It is the responsibility of Health and Social Care Trusts, as employers, to determine the support structure which is most appropriate to their organisation, based on service need and available resources. I expect all HSC employers to regularly review these structures to maximise their effectiveness.

The contribution of all staff in the Health and Social Care family is highly valued and whilst it is clinical front-line staff who may make the most visible difference, managers, including those at Assistant Director level, play a critical role in the effective running of our services. Effective leadership will be more important than ever as we move forward with the implementation of Transforming Your Care.

Mr Hussey asked the Minister of Health, Social Services and Public Safety to detail the number of managers in each Health and Social Care Trust who receive performance related (i) bonuses; and (ii) pay; and to detail the spend on bonuses and performance related pay in the last three years.
(AQW 37401/11-15)

Mr Wells: For the purposes of this question the term 'managers' has been interpreted as senior executive staff i.e. director level and above (including Chief Executives).

Under the Senior Executive Pay and Grading Scheme (the Scheme) senior executives receive neither performance related bonuses, nor performance related pay.

The Scheme is based on a system of overlapping pay ranges with a wide range between minima and maxima. On appointment senior executives are assigned to a pay range based on the evaluated level of the post, and progress through the pay range on the basis of delivering satisfactory performance.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the number of full time staff undertaking translation services and employed in each Health and Social Care Trust in each of the last three years.
(AQW 37425/11-15)

Mr Wells: No full time staff are employed in Health and Social Care Trusts to undertake translation services. The Northern Ireland HSC Interpreting Service (NIHSCIS) provides interpreters across any HSC appointment – both in primary care and

across integrated care services in the Health and Social Care Trusts. Interpreters are engaged on a self-employed sessional basis and are paid by assignment as opposed to being in permanent contracts.

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
	2,906,967	2,777,572	2,107,141

Mr Swann asked the Minister of Health, Social Services and Public Safety what consideration he has given to the introduction of Pulse oximetry for all newborns.
(AQW 37431/11-15)

Mr Wells: The UK National Screening Committee (NSC) has recommended piloting the use of pulse oximetry to screen newborn babies for congenital heart defects.

The NSC will use the pilot to better understand the implications of using the test in services for newborn babies. Following the evaluation of this pilot the NSC will make a policy recommendation for the UK and I will await this recommendation before making a policy decision on this for Northern Ireland.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail the number of planned operations postponed at Antrim Area Hospital in the last month as a result of pressures arising from emergency admissions.
(AQW 37436/11-15)

Mr Wells: There were nine cancellations of planned operations in Antrim Area Hospital during September 2014 as a result of pressures arising from emergency admissions.

Mr McKinney asked the Minister of Health, Social Services and Public Safety what are the current measures in place to effectively deal with the possibility of an outbreak of the Ebola virus.
(AQW 37442/11-15)

Mr Wells: In order to deal with a potential importation of a case of Ebola Virus Disease in Northern Ireland my officials have been liaising frequently with their counterparts across the UK and in the Republic of Ireland.

The Public Health Agency has been coordinating regional planning in conjunction with the Department and Trusts. This includes the development of patient care pathways by all Trusts and comprises planning for the management and isolation of suspected cases, accumulation of appropriate Personal Protective Equipment and delivering staff training.

In addition the Chief Medical Officer has sent five letters to the Chief Executives of Health and Social Care organisations providing information for all frontline clinical staff who may be treating or admitting patients, all Infection Prevention and Control staff and all GPs and practice staff. The letters include flow charts for use by staff in Emergency Departments and by staff in Primary Care for dealing with patients who require a risk assessment for the possibility of a viral haemorrhagic fever.

The Chief Medical Officer has also written to all schools, universities and further education establishments.

It is important to note that the UK has robust systems in place already for infectious disease control, including at airports and ports.

Advice for UK border staff has been circulated to all UK ports. In Northern Ireland the Public Health Agency, through its Health Protection Service, has communicated with colleagues covering all sea ports and airports in Northern Ireland informing them of the current situation in relation to the outbreak and directing them to sources of further information, including the actions to be taken should a sick traveller, potentially with an infectious disease, come to their attention. Posters have been sent to all airports and sea ports in Northern Ireland to advise arriving travellers about risk factors for Ebola, symptoms and signs and how to seek medical advice.

In order to reduce the risk of international spread of the disease, and in line with World Health Organization guidance, the affected countries have introduced exit screening at airports to ensure that individuals who are unwell do not board flights.

Mr McKinney asked the Minister of Health, Social Services and Public Safety whether he has communicated with Leo Varadkar regarding provisions for a possible outbreak of the Ebola virus.
(AQW 37443/11-15)

Mr Wells: Shortly after my appointment as Health Minister I wrote to Leo Varadkar highlighting the need to work together on issues of mutual concern, and I am scheduled to meet with him next month. This cooperation will cover a range of issues including the Ebola Virus Disease outbreak in west Africa and its implications for public health and for the healthcare systems in both jurisdictions.

Since the Ebola Virus Disease outbreak, my officials have been working closely with their counterparts in the Republic of Ireland, and on 13 October the Chief Medical Officer had a teleconference with his counterpart, Dr Tony Holohan, along with medical officers and officials in both health departments. Liaison with RoI at CMO and official level will continue.

The discussions between my officials and their Dublin counterparts have included access to isolation facilities across the island of Ireland, with a view to ensuring optimal preparedness in both jurisdictions.

The Health and Social Care Board wrote to all GPs and Out of Hours providers on 5th September, providing a flowchart for dealing with patients who require a risk assessment for the possibility of a viral haemorrhagic fever. The letter is available at: http://primarycare.hscni.net/3298.htm

Ms Sugden asked the Minister of Health, Social Services and Public Safety, given that there are over 7,000 people living with undiagnosed dementia, what steps his Department is taking to increase awareness of the need for early diagnosis.
(AQW 37462/11-15)

Mr Wells: The regional strategy "Improving Dementia Services in Northern Ireland" launched in November 2011 recognised the importance of early diagnosis. Recurrent investment over the past two years has led to the enhancement of memory services, and their development where none existed previously.

Criteria and protocols have been developed for referrals into memory services and work is ongoing to achieve timely assessment and diagnosis. Work is also in progress with GPs to enhance referrals to memory clinics.

All five Trusts are committed to providing timely diagnosis, and services are being developed to include pre and post diagnostic counselling, comprehensive assessment, support and education, which in turn will lead to improved diagnosis rates and uptake of early intervention supports.

Over the next 3 years, in addition to those plans already in place, the Dementia Strategy Implementation Group will focus on the key target areas of (i) awareness raising, information and support, (ii) training and (iii) short-breaks, respite and support to carers.

Mr Dunne asked the Minister of Health, Social Services and Public Safety what action he will take to help reduce the burden of record keeping and documentation for Social Workers.
(AQW 37488/11-15)

Mr Wells: My Department has produced "Improving and Safeguarding Social Wellbeing, a Strategy for Social Work in Northern Ireland" which is being implemented by the HSCB. One of the key themes of the Strategy is to 'reduce bureaucracy'. A number of initiatives are being supported through the Strategy aimed directly at reducing bureaucracy thereby creating increased capacity for social workers. Examples include the use of digital dictation and interactive referral processes.

The HSCB is also leading a number of other initiatives to increase the use of technology in supporting record keeping and documentation. These include a draft E-Strategy for Health & Social Care; electronic solutions to recording and sharing information; and streamlining to merge systems.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQT 1616/11-15, which included the 'hope' in relation to organ donation that there would be 'no need for any further legislation,' whether he is not minded to bring forward soft opt-out legislation irrespective of the outcome of the further survey of public opinion following the Public Health Agency's public awareness campaign announced by his predecessor on 11 February 2014.
(AQW 37489/11-15)

Mr Wells: The future of organ donation is not a decision to be taken lightly. I am not excluding any potential measure at this point but soft opt-out legislation is not the only option for increasing organ donation. My Department's policy on this important matter is to support the full implementation of the NHSBT UK strategy Taking Organ Transplantation to 2020,

complemented by the Public Health Agency's (PHA) current awareness campaign, "Speak up and save a life".

I will make a decision on whether or not the current policy needs to be supplemented by statutory opt-out legislation after I have given full consideration to the PHA's next report on the effect of its campaign on the awareness, understanding and support for organ donation among the wider public. The report is due to be completed by February 2015.

Mr Swann asked the Minister of Health, Social Services and Public Safety which Service Level Agreement (SLA) he referred to in his statement to the Assembly on the 14 October 2014 when he stated that the current arrangements under the SLAs will remain in place until December 2014.
(AQW 37515/11-15)

Mr Wells: There are four SLAs in place for the provision of PCCS services for children from Northern Ireland. My comment during my oral statement on 14 October 2014, in which I referred to a date of December 2014, related to the SLA between Belfast Health and Social Care Trust and Our Lady's Children's Hospital, Crumlin (OLCHC). This allows for the provision of supporting elective surgical services and interventional cardiology services in Belfast by Dublin-based surgeons. This SLA will currently run to the end of December 2014. Discussions are to take place regarding the extension of this arrangement to March 2015 to support the provision of Dublin-based surgeons providing surgical cover for interventional cardiology services in Belfast. There are no plans to extend the arrangements for the provision of elective surgical services in Belfast beyond December 2014. The SLA is kept under review and if there is a need to extend it further beyond March 2015, this will be considered.

Details of the other three SLAs are set out below:

- SLA between the Health and Social Care Board and OLCHC for emergency cases to be undertaken in Dublin. This SLA covers the period to the end of December 2014. This SLA will be renewed for 2015.
- SLA between the Health and Social Care Board and Evelina Children's Hospital London, for elective and relevant urgent cases. This SLA covers the period to the end of December 2014. Discussions have taken place regarding extending the current SLA to include relevant emergency cases. This SLA will be renewed for 2015.
- SLA between the Health and Social Care Board and Birmingham Children's Hospital, for elective and relevant urgent cases. This SLA covers the period to the end of March 2015. This SLA will be renewed for 2015/16.

I would refer the Member to my oral statement to the Assembly on 14 October 2014 that my final decision on the future service model proposed by the International Working Group is subject to the outcome of public consultation. The interim service arrangements provided by these SLAs should be viewed within the context of my statement on decisions to be taken in relation to the long-term configuration of this service.

Mr Copeland asked the Minister of Health, Social Services and Public Safety for his assessment of the current support offered to people with cerebral palsy and their carers.
(AQW 37521/11-15)

Mr Wells: Health and Social Care Trusts provide a range of services to support individuals with cerebral palsy and their carers depending on their assessed need. Clients may self- refer or a referral may be made by a family member, a healthcare professional or an agency. A carer's assessment will also be provided with the agreement of the carer.

The types of service provision available include social work, physiotherapy, occupational therapy, speech and language, psychology, domiciliary care, day opportunities, short breaks for the carer, signposting and referral to voluntary and community organisations.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail the number of births that have taken place in the South West Acute Hospital in each month since it opened.
(AQW 37535/11-15)

Mr Wells: Information on the number of births at each main acute hospital is published on an annual basis in the Northern Ireland Hospital Statistics: Inpatient and Day Case Activity publication (Table 4c) and is available to view or download from:

http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm

Information is collected by the Department on the number of births during the quarter at each hospital. The number of births at South West Acute since it opened is detailed in the following table;

Quarter Ending	Total Births at South West Acute
Sept 2012	335
Dec 2012	333
Mar 2013	302
Jun 2013	267
Sept 2013	345
Dec 2013	317
Mar 2014	312
Jun 2014[P]	300

Source: KP19 return

Notes:

P Data relating to the quarter ending June 2014 are provisional and therefore subject to change.

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 36618/11-15, to detail the number of breaches in the Northern Health and Social Care Trust of twelve hour waiting periods in 2013/14, compared to such earlier years as figures are available for.
(AQW 37556/11-15)

Mr Wells: Information on waiting times at emergency care departments is published on a quarterly basis, and available to view or download from: http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes/waitingtimes-emergency.htm

The number of new and unplanned review attendances waiting longer than 12 hours to be either treated and discharged home, or admitted to hospital from emergency care departments in the Northern HSC Trust, is detailed in the table below for each of the last six years (2008/09 – 2013/14).

HSC Trust / Hospital	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Antrim Area	417	720	2,440	3,041	1,811	871
Whiteabbey	0	0	0	0	0	0
Mid Ulster	0	0	0	0	0	0
Causeway	95	99	319	1,020	719	156
Northern HSC Trust	512	819	2,759	4,061	2,530	1,027

Source: EC1 Information Return

Mr Dunne asked the Minister of Health, Social Services and Public Safety what actions his Department will take to provide modern IT systems to support frontline Social Workers.
(AQW 37570/11-15)

Mr Wells: This is the responsibility of the Health and Social Care Board. I have contacted the Board and received the information below:

The main system used by social workers in Northern Ireland is the SOSCARE system. This system records and communicates information on social care clients in both the Adult and Family Child Care elements of Social work. This system records the UNOCINI assessments for children and young people and provides a NI wide 'children at risk' register. SOSCARE records all vulnerable adult referrals and is the main source for social work and social care information returns. The SOSCARE system is being replaced by more modern integrated ICT systems to provide Social Workers and Community Care staff with appropriate access to both social work information and community care information.

A business case is under development to make the case for providing social workers (and other community staff) with 'mobile access' to their information systems and these actions are outlined the e-Health Strategy consultation document launched for consultation on 8th October 2014.

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail (i) the support services currently available; and (ii) the service improvement plans, for prostate cancer patients in the South Eastern Health and Social Care Trust.
(AQW 37574/11-15)

Mr Wells: The South Eastern Health and Social Care Trust has advised that support services currently available to prostate cancer patients include access to:

- continence services;
- a Macmillan Health and Well Being service;
- a Macmillan Benefits Advisory service;
- counselling and clinical psychology;
- a dedicated nurse-led erectile dysfunction clinic;
- a post-treatment holistic needs assessment with a urology nurse specialist; and
- 'Nurse Led Follow Up' which promotes health and well being.

The Trust will continue to work closely with both the statutory and voluntary sectors to ensure that regional and national recommendations for improving services for prostate cancer are supported.

Mr McKay asked the Minister of Health, Social Services and Public Safety how he is encouraging departmental staff to cycle to work.
(AQW 37651/11-15)

Mr Wells: The NICS cycle to work scheme is promoted annually by the Department of Finance and Personnel. The scheme was relaunched in February 2014 and details communicated to all NICS staff via the HRConnect portal and e-mail.

Bicycle parking facilities are available for staff in my Department who cycle to work.

Department of Justice

Mr Allister asked the Minister of Justice to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 36916/11-15)

Mr Ford (The Minister of Justice): Seven staff from the Executive Information Service are currently on loan to the Department of Justice, providing the range of information services common to all departments. The cost of these staff is estimated to be £326,362 in 2014/15.

Two general service staff within the Northern Ireland Courts and Tribunal Service perform press office duties within that agency, at a total estimated cost of £53,611 in 2014/15.

In addition, 11 administrative staff within the Department of Justice provide a media monitoring service to all of the Northern Ireland Executive departments, and to a number of the public bodies. This service is delivered through service level agreements, with income generated being used to offset the cost of their employment. The cost of these 11 staff is estimated to be £290,075 in 2014/15, and the income generated from the service is currently £168,000.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36138/11-15, (i) whether this accountability is practiced; and (ii) whether he has been furnished with evidence of PFNI consultation with all members and the required responses, in both the matter of pensions and any other relevant issues for which PFNI are representatively responsible.
(AQW 37098/11-15)

Mr Ford: This issue is outside of my remit. This is a matter for the Police Federation for Northern Ireland's (PFNI) Central Committee and its members.

I have not been furnished with evidence of the PFNI's consultation with its members and there is no requirement that I should be. Whilst I am aware that consultation is ongoing within the PFNI, I have no role in telling the Federation how to consult with members on the matter of pensions, or any other issues.

Lord Morrow asked the Minister of Justice how many people in each court division have been recalled to court under fine default reviews since the extent of unpaid fines was revealed, broken down by (i) Magistrates'; and (ii) Crown courts.
(AQW 37100/11-15)

Mr Ford: The table below outlines the number of people issued with a notice to attend a Fine Default Hearing as of 7 October 2014.

County Court Division	Crown	Magistrates'	Total
Antrim	31	1350	1381
Ards	27	1178	1205
Armagh & South Down	18	389	407
Belfast	84	2634	2718
Craigavon	16	644	660
Fermanagh & Tyrone	2	1254	1256
Londonderry	14	1561	1575
Grand Total	**192**	**9010**	**9202**

Lord Morrow asked the Minister of Justice, given the recent conviction in Case Number 12/090031 for rape and assault at Dungannon Crown Court that an active previous assessment of dangerous as defined by the 2008 (NI) Act, and that the offences were committed whilst on day-release from a violence-related custodial sentence, (i) whether this case meets the criteria for a Serious Case Review; (ii) if so will he order a review; and (iii) if not, will he consider a review of this case and the monitoring of the offender.
(AQW 37161/11-15)

Mr Ford: The young person, who is now an adult, was on a rehabilitation programme in the last two weeks of his sentence before he was due to be released from a six month Juvenile Justice Centre Order, imposed for Assault and Disorderly

behaviour. A Risk Assessment had been completed and a detailed plan of activities had been agreed by a number of agencies including PBNI, involving an overnight stay at home, and a visit to set up a training placement for the young person. Home leave, as part of a programme of rehabilitation, is normal during the last third of a young person's detention. The young person in question had fully co-operated with his re-integration plan throughout his sentence and had complied fully with the terms of earlier visits to home both escorted and unescorted. There is no record of this young person having committed offences of this nature before. All elements of the plan until this point had been kept including visits and meetings with a variety of agencies.

Juvenile Justice Centre Orders are not covered by the Serious Case Review process, but I have asked all Agencies involved to review the case and report back to me.

Mr Agnew asked the Minister of Justice (i) for a a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly library for scrutiny ahead of the Assembly debate.
(AQW 37208/11-15)

Mr Ford: The Department's October monitoring bid to the Department of Finance and Personnel (DFP), broken down as follows, was based on a range of considerations including statutory obligations and the impact on front line services and public safety:

- £19.7m for legal aid – i.e. the Department's June monitoring bid that was not funded;
- £10.5m to reduce the most severe impact of cuts on PSNI;
- £1.9m to reduce the most severe impact of cuts on the remainder of the Department; and
- given the potential for additional in-year cuts of 1.6%, equating to £17.4m, the Department also highlighted that if these cuts were made, it would bid for additional funding to offset the severe impact of the cuts.

As highlighted in the Finance Minister's Statement to the Assembly on 13 October 2014, the Department of Justice has been allocated an additional £29.0m for PSNI and legal aid pressures.

The Department's bid was forwarded to the Department of Finance and Personnel for inclusion in the October Monitoring round. The Department is not aware of any protocols requiring the Department to deposit a copy of its bid in the Assembly library.

Mr Copeland asked the Minister of Justice to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37241/11-15)

Mr Ford: The Department of Justice's arm's length bodies do not retain cash reserves.

They retain a minimum balance in bank accounts in order to meet day-to-day working capital requirements in line with Managing Public Money NI.

Lord Morrow asked the Minister of Justice to detail (i) the procedure for a prisoner who has been returned to custody after breaching the terms of a licence release to serve the remainder as a sentenced prisoner, who is the subject of a bench warrant which has to be executed in a court setting; and (ii) the agency responsible for facilitating or requesting the prisoner being brought to court for the warrant to be executed.
(AQW 37255/11-15)

Mr Ford: The execution and proof of execution of an arrest warrant is a matter for the Police Service of Northern Ireland (PSNI).

Section 16 of the Prison Act (Northern Ireland) 1953 provides for the removal of prisoners for judicial and other purposes. Where such removal is sought and directed, the prisoner is deemed to be in custody until returned to prison (s.16(3)). The Northern Ireland Prison Service will make appropriate arrangements for the removal and return of the prisoner to and from the relevant establishment.

Lord Morrow asked the Minister of Justice, pursuant to AQW 36917/11-15, whether he will (i) undertake to provide a detailed update on this matter; (ii) seek an explanation as to why the requirement to file accounts was not complied with; and (iii) establish who was ultimately responsible.
(AQW 37258/11-15)

Mr Ford: As stated in my reply to AQW/36917/11-15, my officials have engaged with the Police Federation for Northern Ireland (PFNI) and I can confirm that all outstanding documents have now been submitted to my Department.

The PFNI Central Committee is responsible for the preparation, including filing, of the PFNI's accounts. It has advised that the delay was the result of an administrative oversight, for which it has apologised.

Mr Ross asked the Minister of Justice how many people have been convicted of benefit fraud in each of the last ten years.
(AQW 37273/11-15)

Mr Ford: Details of the number of defendants that were (i) received in court and (ii) found guilty of at least one offence relating to benefit fraud, during the calendar years 2007 to 2013, are outlined in the table below:

Number of defendants (i) received in court and (ii) found guilty of at least one offence, relating to benefit fraud: 2007 to 2013

Year	Number of defendants received in court	Number of defendants found guilty of at least one offence
2007	474	343
2008	587	496
2009	549	454
2010	643	473
2011	705	567
2012	732	568
2013	610	461

Source: Integrated Court Operations System (ICOS)

The provision of data for the period prior to 2007 requires a manual trawl of court records and would therefore incur a disproportionate cost.

Mr Ross asked the Minister of Justice how many people have faced prosecution for benefit fraud in each of the last ten years. **(AQW 37283/11-15)**

Mr Ford: Details of the number of defendants that were (i) received in court and (ii) found guilty of at least one offence relating to benefit fraud, during the calendar years 2007 to 2013, are outlined in the table below:

Number of defendants (i) received in court and (ii) found guilty of at least one offence, relating to benefit fraud: 2007 to 2013

Year	Number of defendants received in court	Number of defendants found guilty of at least one offence
2007	474	343
2008	587	496
2009	549	454
2010	643	473
2011	705	567
2012	732	568
2013	610	461

Source: Integrated Court Operations System (ICOS)

The provision of data for the period prior to 2007 requires a manual trawl of court records and would therefore incur a disproportionate cost.

Mr Swann asked the Minister of Justice whether he is aware of the number of enforcement actions or prosecutions that have taken place in regard to the operation of illegal taxis, broken down by district council area, in each of the last three years. **(AQW 37306/11-15)**

Mr Ford: Prior to the commencement of the relevant provisions of the Taxis Act (Northern Ireland) 2008, Public Prosecution Service prosecutions for offences relating to the operation of illegal taxis and related offences including the offence of failing to produce a PSV licence were available under the following statutory provisions: Regulation 9(a) of the Motor Vehicle (Driving Licences) Regulations (Northern Ireland) 1991, Articles 59 & 60 of the Road Traffic (Northern Ireland) Order 1981, Regulation 49 of the Public Service Vehicles Regulations (Northern Ireland) 1985 and Article 92 of the Road Traffic Offenders (Northern Ireland) Order 1996.

Section 48 of the Taxis Act (Northern Ireland) 2008 commenced on 12 September 2012. However, no prosecutions in relation to the operation of illegal taxis had been brought to court under this provision by the end of 2012, the most recent year for which prosecutions data are available.

The information provided is grouped by court division, as the administrative datasets from which this information is gathered do not hold information on the location of the alleged offences.

Prosecutions for operating an illegal taxi by Court Division, 2010 – 2012

Court Division	2010	2011	2012
Antrim	1	1	0
Ards	0	1	1
Armagh and South Down	0	0	1
Belfast	2	8	5
Craigavon	2	3	1
Fermanagh and Tyrone	1	3	1
Londonderry	3	10	7
Total	**9**	**26**	**16**

Note:

1. Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted is included.
2. The figures provided relate to prosecutions for all classifications of the offences specified.
3. Prosecutions listed in the table relate only to those offences that were prosecuted by the Public Prosecution Service, whether they resulted in a conviction or not.

Lord Morrow asked the Minister of Justice (i) how much was it ascertained that Gheorge Ionas gained by his criminal activity; (ii) whether these funds have been seized as the proceeds of crime; and (iii) whether these funds will be distributed as compensation amongst the victims in question.
(AQW 37316/11-15)

Mr Ford: The amount Gheorge Ionas gained by his criminal activity could not be ascertained. PSNI enquiries found that there were limited funds in his bank accounts and no cash was recovered from his rented accommodation. No funds or assets could therefore be seized or made available for distribution as compensation for victims.

Lord Morrow asked the Minister of Justice (i) whether Legal Aid was granted in the case of Gheorge Ionas at Craigavon Magistrates Court; (ii) if so how much has been paid, shown by law firm and counsel; and (iii) if costs have not yet been claimed, what is the estimated total.
(AQW 37318/11-15)

Mr Ford: An application for legal aid was granted by the court for representation by solicitor and junior counsel. However, to date, no bills have been submitted by the legal representatives.

The estimated total cost is £761.74 (inclusive of VAT of £126.96), broken down as follows:

- Solicitor £330.00 (inclusive of VAT of £55.00)
- Junior Counsel £431.74 (inclusive of VAT of £71.96).

Lord Morrow asked the Minister of Justice, pursuant to AQW 36643/11-15, how much NI Prison Service has paid to the Scottish Prison Service, or its contracted service providers, to provide drugs testing services on the basis of payments made on the number of tests undertaken, in each financial year since the service commenced.
(AQW 37321/11-15)

Mr Ford: No payments have been made to the Scottish Prison Service for access to this contract. The details of how much has been paid to the contractor are commercially sensitive, with the contract being prepared for retender.

Mr Allister asked the Minister of Justice, pursuant to AQW 36691/11-15, whether the judges who preside in Belfast Youth and Family Court were personally consulted before the decision was taken and announced.
(AQW 37324/11-15)

Mr Ford: Northern Ireland Courts and Tribunals Service officials consulted with the Presiding District Judge responsible for the Magistrates' family proceedings and youth courts before the decision to temporarily close the Old Townhall building was taken and announced.

Mr Allister asked the Minister of Justice whether there are licensing qualifications or other prerequisites for operators of CCTV cameras at public buildings; and why operators of such cameras at the Sanger gate at Laganside court were relieved of their duties recently.
(AQW 37326/11-15)

Mr Ford: All G4S Secure Solutions (UK) Limited staff working on the Northern Ireland Courts and Tribunals Service security contract are required to have a current Security Industry Authority (SIA) public space surveillance licence. Two members of G4S who regularly work at the Sanger at Laganside Courts were temporarily relieved of their duties at the sanger pending receipt of their licence dispensation notices.

Mr Allister asked the Minister of Justice whether Civilian Security Officers of the Northern Ireland Security Guard Service who are designated as Special Constables are subject to the supervision and oversight of the Northern Ireland Police Ombudsman.
(AQW 37328/11-15)

Mr Ford: Members of the Northern Ireland Security Guard Service are Ministry of Defence (MoD) employees, accountable to Commander 38 (Irish) Brigade, who provide security at and within MoD establishments in Northern Ireland. As their role is limited to guarding within the defence estate, they are not subject to the supervision or oversight of the Police Ombudsman for Northern Ireland. Their employment and accountability is a matter for the MoD. I do not have information on the numbers designated as special constables.

Mr Allister asked the Minister of Justice how many Civilian Security Officers of the Northern Ireland Security Guard Service are designated as Special Constables.
(AQW 37330/11-15)

Mr Ford: Members of the Northern Ireland Security Guard Service are Ministry of Defence (MoD) employees, accountable to Commander 38 (Irish) Brigade, who provide security at and within MoD establishments in Northern Ireland. As their role is limited to guarding within the defence estate, they are not subject to the supervision or oversight of the Police Ombudsman for Northern Ireland. Their employment and accountability is a matter for the MoD. I do not have information on the numbers designated as special constables.

Lord Morrow asked the Minister of Justice how much has been recovered in each court division to date in unpaid fines since action was taken to recoup defaulters broken down by (i) Magistrates'; and (ii) Crown courts.
(AQW 37356/11-15)

Mr Ford: The table below outlines the value of unpaid fines recovered after the issue of a notice to attend a Fine Default Hearing as of 13 October 2014.

Division	Crown Court	Magistrates' Court	Total
Antrim	2,245.00	11,921.10	14,166.10
Ards	2,560.00	13,262.01	15,822.01
Armagh & South Down	2,095.00	9,278.72	11,373.72
Belfast	56,444.29	19,489.97	75,934.26
Craigavon	150.00	3,519.07	3,669.07
Fermanagh & Tyrone		16,631.03	16,631.03
Londonderry	4,890.00	10,120.47	15,010.47
Total	**68,384.29**	**84,222.37**	**152,606.66**

Lord Morrow asked the Minister of Justice, in light of the concerns raised by G4S staff of faulty palm scanners in court houses, whether he will order an independent assessment and report of the (i) effectiveness of the palm scanners; and (ii) concerns raised by staff, and whether these concerns were appropriately addressed.
(AQW 37393/11-15)

Mr Ford: The palm scanners installed by G4S Secure Solutions (UK) Limited are to record timekeeping and attendance rather than to ensure the security of premises. Any concerns raised by G4S staff are a matter for G4S therefore I do not intend to order an independent assessment.

Lord Morrow asked the Minister of Justice how much was paid in legal aid for the judicial review taken by a person in relation to Reference STE9365 delivered on 29 September 2014, broken down by (i) law firm; (ii) junior counsel; (iii) senior counsel; and (iv) other associated costs; or if a total has not been submitted, to provide an estimated final total.
(AQW 37394/11-15)

Mr Ford: Article 24 of the Legal Aid, Advice and Assistance (NI) Order 1981 precludes the release of information in relation to civil cases in which Legal Aid has been granted.

Lord Morrow asked the Minister of Justice, in relation to the case of Gheorge Ionas at Craigavon Magistrates Court, whether there are further charges pending in relation to forced labour and associated offences; and if not, will he undertake to ascertain why this is the case.
(AQW 37395/11-15)

Mr Ford: The issues raised are matters for the Public Prosecution Service (PPS). I am committed to respecting the independence of the PPS.

You may therefore wish to direct your question to the PPS.

Lord Morrow asked the Minister of Justice, in relation to case number 13/121205 at Magherafelt Magistrates Court, how much has been paid, or is estimated to be paid, in legal aid, broken down by (i) law firm; (ii) counsel; and (iii) other associated costs, including the handwriting expert.
(AQW 37421/11-15)

Mr Ford: This case has not yet been completed and no bills have been received from the instructing solicitor. The Northern Ireland Legal Services Commission has given authority to engage an expert, however the final fees payable will be known only when the case is concluded and it would not be prudent to try to estimate the costs at this time.

Lord Morrow asked the Minister of Justice how many prisoners have applied for judicial reviews in each of the last two years; and of these (i) how many were refused leave to proceed; (ii) granted leave to proceed; and (iii) how many were upheld.
(AQW 37422/11-15)

Mr Ford:

1 April 2013 – 31 March 2014:

51 prisoners applied for judicial review. Seven applications were refused leave to proceed; 43 were granted leave to proceed. 12 of these 43 were upheld. One application was withdrawn before it reached the leave stage.

1 April 2014 – 22 October 2014:

37 prisoners applied for judicial review. Nine applications were refused leave to proceed; 28 were granted leave to proceed. Five of these 28 were upheld. One prisoner made two applications and one application was withdrawn before it reached the leave stage.

Mr Dallat asked the Minister of Justice to detail the number of (i) inmates in Magilligan Prison; (ii) prison officers present during the day; and (iii) prison officers remaining in the prison overnight, broken down by grade.
(AQW 37439/11-15)

Mr Ford:

(i) The number of inmates in custody in Magilligan prison on 20 October 2014 was 547.

(ii) & (iii) It is not possible to provide the number of staff in the prison each day/night as the number fluctuates due to certain factors, for example the regimes available on a particular day, the shift patterns of staff working, annual leave and staff sickness etc.

Mr Dallat asked the Minister of Justice to detail the total cost of (i) food; (ii) laundry; (iii) education; (iv) health; and (v) other related costs of keeping inmates in Magilligan Prison, in each of the last three years.
(AQW 37440/11-15)

Mr Ford: The table below sets out the Magilligan Prison inmate costs requested in parts (i) to (v) above for the last three financial years.

	2011/12 £'s	**2012/13 £'s**	**2013/14 £'s**
Food	496,011	558,333	626,215
Laundry	596	82	6,358
Education	237,326	136,656	156,547
Health *	0	0	0
Other Related Costs	1,656,322	1,626,945	1,585,392

* NIPS do not incur Health Costs, as this service has been provided by the South Eastern Trust since 2009.

Ms Sugden asked the Minister of Justice how his Department is tackling crimes against older people.
(AQW 37466/11-15)

Mr Ford: The Programme for Government and the Community Safety Strategy 2012-2017 set out actions being taken by my Department to tackle crime and fear of crime amongst older people.

In terms of the Community Safety Strategy, there is a Fear of Crime Strategic Action Plan 2012-14 which sets out what my Department and our delivery partners are doing to tackle these crimes. This includes funding projects delivered by Age Sector Platform and Linking Generations Northern Ireland to, for example, raise awareness of existing crime prevention support and promote the benefits of intergenerational work.

Policing and Community Safety Partnerships also deliver a range of initiatives aimed at tackling crime against older people. These include home security and other crime prevention projects.

While sentencing is a matter for the judiciary, a deterrent to crime against an older person is that courts can treat the age and vulnerability of the victim as aggravating factors when assessing the appropriate sentence to be imposed.

Mr Allister asked the Minister of Justice whether responses from residents outside Northern Ireland will be accepted to the consultation on abortion; and if not, what measures will be in place to restrict eligible responses accordingly and to validate the provenance of responses.
(AQW 37475/11-15)

Mr Ford: The Department's Equality Scheme states that all consultations will seek the views of those directly affected by the matter or policy, as well as the Equality Commission, representative groups of Section 75 categories, other public authorities, voluntary and community groups and such other groups who have a legitimate interest in the matter.

Members of the public who live outside Northern Ireland are not directly affected by proposals to change the law on abortion in Northern Ireland and such responses will therefore not be considered as part of the consultation.

The Department will acknowledge all responses and make decisions on eligibility on an individual basis.

Mr Allister asked the Minister of Justice what inquiries he will establish into the handling of the Mairia Cahill cases.
(AQW 37481/11-15)

Mr Ford: The Director of Public Prosecutions and operational decisions of the Chief Constable are independent of my Department. I welcome the decision by the Director of Public Prosecutions to establish an independent review of the prosecutorial systems and processes in relation to three interlinked cases involving sex abuse and terrorist related charges following the police investigation into allegations made by Maíria Cahill. I also note that the Police Ombudsman is investigating a complaint into the police handling of this case. I will be keen to see the outcome of these investigations before considering whether any further inquiry is appropriate.

Mr McCausland asked the Minister of Justice to detail the cost, in terms of PSNI resources, to police nationalist and republican protests against parades in (i) 2012/13; and (ii) 2013/14.
(AQW 37526/11-15)

Mr Ford: The allocation of the police budget is an operational matter and therefore the responsibility of the Chief Constable who is accountable to the Policing Board. I must respect the operational autonomy and independence of the Chief Constable.

Financial information is reported to the Policing Board as a matter of routine.

Mrs Cochrane asked the Minister of Justice, further to his engagement with the Minister of Finance and Personnel, what progress has been made regarding the resolution of equal pay claims for PSNI and former Northern Ireland Office staff.
(AQW 37638/11-15)

Mr Ford: I am pleased that the Finance Minister has submitted a draft paper on this matter for consideration by the Executive and I continue to be supportive of a centrally funded and centrally driven resolution.

As this draft paper is currently with the Executive for consideration, I am unable to provide a timeline for the resolution of this issue.

Mr Kinahan asked the Minister of Justice what discussions he has had with the PSNI on the reduction in its budget.
(AQO 6866/11-15)

Mr Ford: The PSNI need to make savings of £51.4m in year. I have discussed this with the Chief Constable on two separate occasions, in late September and at the beginning of October.

I also discussed this with the Policing Board, most recently at a meeting with the Chair, Vice Chair and independent members of the Policing Board in early October.

The allocation of the police budget is an operational matter and therefore the responsibility of the Chief Constable who is accountable to the Policing Board. It is not for me.

Mr D McIlveen asked the Minister of Justice to outline his plans to resolve the issues around police widows' pensions and ensure that all widows are treated equally.
(AQO 6873/11-15)

Mr Ford: I remain keen to give effect to the will of the Assembly that, under Section 30 of the Public Service Pensions Act (Northern Ireland) 2014, police widows remarrying after 1 January 1989 should retain, or have reinstated, their pensions.

Members will recall that I raised some concerns during the Assembly debate regarding the potential for Section 30 to be deemed repercussive. I wrote to the Finance Minister to seek assurances regarding this and I have very recently received his response. My officials will work closely with the Policing Board and the PSNI to urgently resolve any outstanding matters, including eligibility and affordability, with a view to commencing payments at the earliest opportunity.

Mr G Kelly asked the Minister of Justice to outline the extent of any proposed cuts to the Office of the Police Ombudsman.
(AQO 6874/11-15)

Mr Ford: Given the current financial position, all areas of the justice system have had to make cuts in-year. However, I have continued to protect the front line as far as possible.

At this stage, the Office of the Police Ombudsman has been asked to make cuts of 6.2% this year.

However, given the recent additional funding provided to my Department, I will be considering if I am in a positon to help offset the impact of these cuts.

It is not clear what level of cuts may be required in 2015-16. At this stage, all arm's length bodies have been asked to assess the impact of cuts of 10% and 15% against opening 2014-15 baselines.

Mr Sheehan asked the Minister of Justice what has been the cost in terms of PSNI resources to police orange and loyalist marches in June, July and August 2014.
(AQO 6875/11-15)

Mr Ford: The allocation of the police budget is an operational matter and therefore the responsibility of the Chief Constable who is accountable to the Policing Board. I must respect the operational autonomy and independence of the Chief Constable.

Financial information is reported to the Policing Board as a matter of routine.

Mr Humphrey asked the Minister of Justice to outline the impact that the National Crime Agency not being fully extended and operational in Northern Ireland has on tackling criminality.
(AQO 6876/11-15)

Mr Ford: There is a major gap in our ability to tackle serious and organised crime groups. It is not just me saying this – the Chief Constable of the PSNI is giving that message too. Indeed he has highlighted specific examples.

One of the most obvious gaps is the complete absence of civil recovery arrangements for cases involving devolved criminality.

There is also the inability to call on extra resources on the ground. No regional police force has the resources on standby to deal with sudden surges in demand or unexpected large operations. This is where a resource such as the NCA is invaluable – at present all United Kingdom forces can benefit from this support except the PSNI.

My proposal paper on accountability arrangements for the National Crime Agency, which is currently under consideration, is a comprehensive proposal which will create clear, transparent and significant local accountability arrangements. It is the result of extensive work between my Department, the NCA, the PSNI, the Home Office and the Northern Ireland Office and has the full commitment of all these bodies to make it work.

I will continue to engage with the main political parties on the paper, but resolution is required soon.

I would urge all members to work constructively to reach agreement on the current proposals so that our law enforcement agencies and our people can benefit from the skill, expertise and resources of the National Crime Agency.

Mr Lynch asked the Minister of Justice for his assessment of the need for a fully integrated, electronic all-Ireland sex offenders register.
(AQO 6877/11-15)

Mr Ford: I am satisfied with the effectiveness of the arrangements for cross border co-operation on sharing information on sex offenders, currently in place. I am also satisfied that, under the terms of an inter-Governmental Agreement, information is shared effectively between all UK jurisdictions and Ireland.

I believe there would be significant difficulties, for both jurisdictions, in relation to legislative complexities, constitutional difficulties and financial costs associated with any form of cross-jurisdictional electronic database to share such information.

Ms Ruane asked the Minister of Justice for an update on the stocktake of conditions in Roe and Bush Houses in Maghaberry Prison carried out by the independent assessors.
(AQO 6878/11-15)

Mr Ford: The August 2010 Agreement was reached by the joint facilitation group to end a protest by prisoners in Roe House. I established the Independent Assessment Team in September 2010 to ensure that the Agreement's principles and undertakings were being implemented. It is important to clarify that the Independent Assessors role does not extend to Bush House. In July this year, following a recommendation from the Prisoner Ombudsman, I asked the Assessors to undertake a stocktake of the implementation of the 2010 Agreement. In undertaking this stocktake I invited the Assessors to return to the agreed principles and undertakings of that agreement, and pass comment on the state of compliance.

The Assessors have recently completed their work and I have received their Report for consideration.

Mr Buchanan asked the Minister of Justice what action his Department, in conjunction with the Department of Health, Social Services and Public Safety, has taken to curb the open sale of legal highs.
(AQO 6879/11-15)

Mr Ford: Legislation in this area remains a reserved matter for the Westminster Government.

Whilst this is the case, my Department, together with the Department of Health, Social Services and Public Safety work together with other key stakeholders, to implement the outcomes defined in the Executive's New Strategic Direction for Alcohol and Drugs 2011- 2016 (NSD).

The phrase Legal Highs is a misnomer – many already contain illegal substances and they are more appropriately termed as "New Psychoactive Substances". The NSD identifies New Psychoactive Substances as one of the key emerging issues.

The open sale of New Psychoactive Substances in head shops throughout Northern Ireland remains an issue of serious concern for my Department and many other stakeholders. The damage that can be caused to individuals, families and the community has been all too evident in recent times. These substances are uncontrolled and, tragically, their use can have fatal consequences.

In December 2013 the Minister of State for Crime Prevention announced that he was establishing an expert panel to undertake a review of the current United Kingdom response that would include an assessment of the impact of legislation introduced by other nations, including the Republic of Ireland, to deal with this issue.

I recently wrote to the Minister of State for Crime Prevention seeking an update on the findings and recommendations of the Review and he has advised me that it will be made available shortly, when the Government has had time to consider the Report.

In the meantime, my Department, together with DHSSPS, the Public Health Agency and the Police work together to operate DAMIS, the Drug and Alcohol Monitoring and Information System. This system seeks and receives information from the community and voluntary sector, together with the statutory sector regarding new substances in circulation. This information is shared with frontline workers across Northern Ireland and can also lead to the issuing of alert notices by the Chief Medical Officer.

In addition, the PSNI can use powers provided under the Misuse of Drugs Act 1971 to undertake seizures and make arrests.

Last year my officials engaged with Environmental Health Officers in one Council to ascertain whether they could utilise the General Product Safety Regulations 2005 to tackle the sale of these substances. This led to the Council and police working together and ultimately to a number of direct operations against the retail outlets. As a result, prosecutions are pending. Environmental Health Departments in other Council areas have been informed of these actions and I would encourage them to act, where retail outlets exist.

At a local level Policing and Community Safety Partnerships have been responding to the issue; currently a campaign entitled "We Don't take Drugs, Drugs Take Us" is being promoted in many areas across Northern Ireland. I hope that everyone, young and old will read and act on the messages in this awareness raising campaign.

Given the urgency of dealing with these dangerous substances, and pending the response from the Home Office led review, I, together with Executive colleagues, the PSNI and Local Councils, will continue to do all that we can to remove these harmful substances from our communities.

Department for Regional Development

Mr Easton asked the Minister for Regional Development how much money his Department has handed back to the Executive since May 2011.
(AQW 35749/11-15)

Mr Kennedy (The Minister for Regional Development): My Department is reliant on the Executive's in year monitoring process to fund essential services and to seek the realignment of departmental budgets due to the limited budget flexibilities available to me.

The Resource DEL and Capital DEL cash funding transactions by my Department in each of the last three financial years are shown in the table below.

	2011-12 £'m	2012-13 £'m	2013-14 £'m
Resource DEL - received	15.1	19.7	43.6
Resource DEL - returned	(23.5)	(0.2)	(3.0)
Net Resource DEL	(8.4)	19.5	40.6
Capital DEL - received	11.0	61.4	80.4
Capital DEL - returned	(0.3)	(33.1)	(129.6)
Net Capital DEL	10.7	28.3	(49.2)

The majority of the Capital DEL funding returned was as a consequence of the legal challenge on the A5 and the subsequent ruling which has delayed the project. If there was greater flexibility for Ministers to manage Capital funding within their departments, I could have effectively used much of the Capital returned on other projects. However, the current Northern Ireland Public Expenditure guidelines place restrictions on how Ministers can use the funding allocated to them. As such in the case of the A5, and indeed other major projects, I am effectively required to re-profile funding between projects and financial years through the in year monitoring process.

Mr Easton asked the Minister for Regional Development to outline the reasons for Translink operating at a financial loss.
(AQW 36598/11-15)

Mr Kennedy: There is an imbalance between Translink's income and expenditure partly caused by the inescapable pressures my Department and all other Departments are facing.

All public transport requires subsidy from government but the extent of this subsidy will depend upon funding available.

Nevertheless it is important that Translink meets its obligations to remain solvent and a going concern which means that its net assets and net current assets must be at appropriate levels.

Mr G Robinson asked the Minister for Regional Development to detail the current turnaround time for grass cutting in Limavady.
(AQW 36965/11-15)

Mr Kennedy: It takes approximately 12 weeks for my Department's Operations and Maintenance staff to complete grass cutting in the rural areas of Limavady Borough Council.

Grass cutting within urban areas is undertaken by Limavady Borough Council which is reimbursed by my Department for the 5 cuts per year prescribed within current maintenance policies.

Mr Weir asked the Minister for Regional Development what is the projected timescale for the transfer of the Dufferin Avenue car park to Translink.
(AQW 37090/11-15)

Mr Kennedy: My Department is currently considering options for the future maintenance and operation of the Dufferin Avenue Park & Ride facility in Bangor, including the possibility of transferring responsibility to Translink. The timetable for any potential transfer has not yet been established.

Mr B McCrea asked the Minister for Regional Development why his Department's capital reduced requirements for 2014-15 have totalled £137.5 million.
(AQW 37094/11-15)

Mr Kennedy: Of the Capital DEL funding returned at June Monitoring £120 million was as a consequence of the legal challenge on the A5 and the subsequent ruling which has delayed the project. This included £115 million which was on notice as part of the Executive's review of 2014-15 Capital budgets which was completed in October 2013, with the funding reallocated by the Executive at that time to a range of projects across the public sector including a number of roads projects. A further £3 million of the funding returned was as a result of my Department's success in securing EU funding allowing this release of conventional Capital DEL back to the Executive for reallocation. The ongoing successful delivery of the A2 road scheme on the ground together with a forecast reduction in the scheme land values accounts for a further £8.5 million of the funding returned.

If there was greater flexibility for Ministers to manage Capital funding within their departments, I could have effectively used much of the Capital returned on other projects. However, the current Northern Ireland Public Expenditure guidelines place restrictions on how Ministers can use the funding allocated to them. As such in the case of the A5, and indeed other major projects, I am effectively required to re-profile funding between projects and financial years through the in year monitoring process.

Mr Weir asked the Minister for Regional Development to detail the (i) number; and (ii) location of electric vehicle charging points in (a) North Down; and (b) Northern Ireland.
(AQW 37129/11-15)

Mr Kennedy: My Department has to date installed (i) 6 electric vehicle charging points in (a) North Down and (b) 334 in Northern Ireland. The location of the electric charge points can be found in the tables below:

The 6 charge points in North Down consist of 3 double-headed charge posts i.e. 2 charge points on each charge post.

North Down Charge Points:

Council Area	Ref. No.	Name	Location
North Down Borough Council	SC92	Bloomfield Shopping Centre	South Circular Road, Bangor, Co Down BT19 7HB
North Down Borough Council	SC123	Ulster Transport Museum Cultra	Bangor Road, Holywood, Co Down BT18 0EU
North Down Borough Council	SC137	Quay Street Car Park	Quay Street,Bangor, Co Down BT20 5ED

The 334 charge points in Northern Ireland consist of 160 double-headed Fast charge posts and 14 single-headed Rapid charge posts.

Rapid Charge Points:

Ref. No.	Location
RC01	Donnelly Motor Group Garage, 59 Moy Rd, Dungannon, Co Tyrone BT71 7DT
RC02	Glenshane Tourist Services, Jamesie's Garage, 31 Glenshane Rd, Maghera, Co Londonderry BT46 5JZ
RC03	Fiveways Shops and Service Station, 101 Armagh Rd, Newry, Co Down BT35 6PW
RC04	Causeway Street, Portrush, Co Antrim BT56 8JE
RC05	Phoenix Service Station, 14 Antrim Rd (Queen St), Ballymena, Co Antrim BT42 2BJ
RC06	Topaz Service Station, Unit 1A Larne Business Pk, Redlands Rd, Larne, Co Antrim BT40 1AY
RC07	Ballymena Road, Antrim, BT41 4LQ
RC08	Halfway Road, Banbridge, BT32 4ET
RC09	Topaz Service Station, 236 Irvinestown Rd, Trory, Enniskillen, Co Fermanagh BT74 6DN
RC10	Beltany Road, Omagh, Co Tyrone BT78 5RA
RC11	Maxol Service Station, Waterside, 29 Glendermott Rd, Londonderry, BT47 6BG
RC12	Bell's Spar, 7 Saintfield Rd, Crossgar, BT30 9HY
RC13	Boucher Road, Belfast, BT12 6RH
RC14	Maxol Service Station, Belvoir, 60 Milltown Rd, Shaw's Bridge, Belfast, BT8 7XP

Fast Charge Points:

Ref. No.	Location
SC01	Riverdale, Larne, Co Antrim BT40 1LB
SC02	Linenhall Street, Armagh, BT61 7DW
SC03	Hope Street North/Bruce Street, Belfast, BT12 5ED
SC04	The Palace Demense, Armagh, BT60 4EL
SC05	Castle Street,Newry Co Down BT34 2BY
SC06	Railway Yard, Off Dukes Street Roundabout Londonderry, BT47
SC07	Strand Road, Londonderry, BT48
SC08	Dublin Road on-street, Belfast, BT6 8ES
SC09	East Bridge Street,Belfast, BT1 3PB
SC10	Basin Walk, Newry, Co Down BT34 1DW

Ref. No.	Location
SC11	Quay Lane North, Enniskillen, Co Fermanagh BT74 6AG
SC12	Eden Street, Enniskillen, Co Fermanagh BT74 7EG
SC13	Main Street, Belleek, Co Fermanagh BT93 3FX
SC14	Narrow Gauge Road, Larne, Co Antrim BT40 1XB
SC15	Lonsdale Street, Armagh, BT61 7LL
SC16	Wellington Road, Enniskillen, Co Fermanagh BT74
SC17	Queen Street, Enniskillen, Co Fermanagh BT74 7JR
SC18	Cross Street, Enniskillen, Co Fermanagh BT74 7DX
SC19	Adelaide Street, Belfast, BT2 8GB
SC20	Agnew Street, Larne, Co Antrim BT40 1RF
SC21	Lower Crescent, Belfast, BT 7 1NR
SC22	Little Victoria Street, Belfast, BT2 7JH
SC23	Little Donegall Street, Belfast, BT1 2JD
SC25	Carlisle Road, Londonderry, BT48 6JW
SC26	Buncrana Road, Londonderry, BT48 7QL
SC27	Queens Quay, Londonderry, BT48 7AZ
SC28	Bridge Street, Newry,Co Down BT35 8AN
SC29	Main Street, Irvinestown, Co Fermanagh BT94 1DW
SC30	Hill Street,Newry , Co Down BT34 1AR
SC31	Cross Street, Lisnaskea, Co Fermanagh BT9 20J
SC32	Monaghan Street,Newry, Co Down BT35 6BB
SC33	Cromac Street, Belfast, BT2 8JN
SC34	The Diamond, Londonderry, BT48 6HN
SC35	Cairnshill Road/Saintfield Road, Belfast, BT8 6RG
SC36	Carnlough, Harbour Road/Garron Road Co Antrim
SC37	Merchant's Quay, Newry, Co Down BT35 8HF
SC38	Burn Road, Cookstown, Co Tryone BT80 8DN
SC39	Bishops Street, Londonderry, BT48 6PT
SC40	Cathedral Road, Armagh, BT61 7QX
SC41	Newry Train Station Car Park Co Down
SC42	Dunluce Avenue, Portrush,Co Antrim BT56 8DW
SC43	Ballynure Road, Ballyclare, Co Antrim BT39 9YU
SC44	The Valley Leisure Centre, 40 Church Road, Newtownabbey, Co Antrim BT36 7LJ
SC45	Benson Street, Lisburn, Co Down BT28 2AA
SC46	Castle Street, Antrim, Co Antrim BT41 4JE
SC47	Trostan Avenue, Ballymena, Co Antrim BT43 7BL
SC48	Beverley Road, Carnmoney, Co Antrim BT36 6QD
SC49	Waterside, Coleraine, Co Londonderry BT51 3DP
SC50	Townhead Street North, Ballymoney, Co Antrim BT53 6BE
SC51	St. Lurachs Road, Maghera, Co Londonderry BT46 5JE
SC52	Castle Street, Ballycastle, Co Antrim BT54 6AS

Ref. No.	Location
SC53	Catherine Street, Limavady, Co Londonderry BT49 9DB
SC54	Farmley Road, Glengormley, Co Antrim BT36 7TY
SC55	Downs Road, Newcastle, Co Down BT33 0AH
SC56	Junction One Shopping Centre, 111 Ballymena Rd, Antrim, BT41 4LL
SC57	Drumrane Road, Limavady, Co Londonderry BT49 9LB
SC58	Lower Lansdowne Road,Portrush, Co Antrim BT56 8AP
SC59	Glenburn Road, Dunmurry, Co Down BT17 9AQ
SC60	Trolan's Filling Station/Supervalu, Ballymena Rd, Ballymoney, Co Antrim BT53 7AB
SC61	Dublin Road/Bridge Street, Antrim, BT41 4DA
SC62	Old Mountfield Road, Omagh, Co Tyrone
SC63	Lisnafin Park,Strabane, Co Tyrone BT82 9DG
SC64	Castle Street,Omagh, Co Tyrone BT78 1DD
SC65	Dublin Road,Strabane, Co Tyrone BT82 9EA
SC66	Maguiresbridge, Co Fermanagh, BT94 4RZ
SC67	Campsie Road,Omagh, Co Tyrone BT79 0AE
SC68	Dock Street,Strabane, Co Tyrone BT82 8EE
SC69	Main Street, Castlederg, Co Tyrone BT81 7AT
SC70	17 Moyle Road, Newtownstewart, Omagh Co Tyroe BT78 4AP
SC71	Main Street, Dromore, Co Down BT78 3AD
SC72	Main Street/Lineside, Coalisland, Co Tyrone BT71 4LP
SC73	DRD Car Park, Magowan Buildings, Woodhouse St, Portadown Co Armagh BT62 1JG
SC74	Moneyhaw Road, Magherafelt, Co Londonderry BT45 7XJ
SC75	Central Way, Craigavon, Co Armagh BT64 1AA
SC76	Scotch Street South, Dungannon, Co Tyrone BT70 1BD
SC77	Lough Road, Lurgan, Co Armagh BT66 6JB
SC78	Cookstown Road, Cookstown, Co Tyrone BT80 8JQ
SC79	Duke Street,Portadown, Co Armagh BT62 3PF
SC80	Burn Road,Cookstown, Co Tyrone BT80 8DN
SC81	Union Place, Cookstown, Co Tyrone BT80 8NP
SC82	Craigavon Leisure Centre,Brownlow Rd,Craigavon, Co Armagh BT65 5DL
SC83	Market Street, Tandragee, Co Armagh BT62 2BW
SC84	Dundrum Road, Newcastle, Co Down BT33 OLN
SC85	Union Street, Magherafelt, Co Londonderry BT45 6DF
SC86	Meadowlane East, Craigavon, Co Armagh BT62 3TN
SC87	The Square, Crossgar, Co Down BT30 9EE
SC88	Church Street, Kilrea, Co Londonderry BT51 5QU
SC89	Shimna Road,Newcastle, Co Down BT33 0AS
SC90	Benone Ave, Limavady, Co Londonderry BT49 0LQ
SC91	Ballee Road, Ballymena, Co Londonderry BT42 2HD
SC92	South Circular Road, Bangor, Co Down BT19 7HB
SC93	136 Fenaghy Road, Ballymena, Co Antrim BT42 1EA

Ref. No.	Location
SC94	Lough Road, Antrim, Co Antrim BT41 4DQ
SC95	2 Mellon Road,Omagh, Co Tyrone BT78 5QU
SC96	Brooke Street,Omagh, Co Tyrone BT78 5HD
SC97	Sourhill Road, Ballymena, Co Antrim BT43 1QF
SC98	Main Street, Ballyclare, Co Antrim BT39 9AA
SC99	Lisnevenagh Road, Co Antrim, BT41 2JH
SC100	Lisburn Street North, Ballynahinch, Co Down BT24 8BL
SC101	Upper Main Street ,Strabane, Co Tyrone BT82 8AU
SC102	Old Dundonald Road, Castlereagh, Co Down BT16 1XT
SC103	Victoria Street, Carrickfergus, Co Antrim BT38 8AQ
SC104	Moneymore Road, Magherafelt, Co Londonderry BT45 6PR
SC105	Montgomery Road, Belfast BT6 9JD
SC106	Ratkeltair House, Market St, Downpatrick, Co Down, BT30 6AJ
SC107	Station Road, Antrim, BT41 4AB
SC108	Main Street, Limavady, Co Londonderry BT47 0ET
SC109	Roe Valley Leisure Centre, 9 Greystone Road, Limavady, Co Londonderry BT49 0ND
SC110	Railway Street,Strabane, Co Tyrone BT82 8EQ
SC111	Townsend Street, Banbridge, BT32 3LF
SC112	Church Street, Saul Link, Co Down Downpatrick, BT30 6EH
SC113	The Quay, Strangford, Co Down BT30 7LL
SC114	Hilton Templepatrick Castle Upton Estate, Templepatrick, Co Antrim BT39 0DD
SC115	Main St Crumlin, Co Antrim, BT29 4UR
SC116	Logans of Cloughmills, 235 Frosses Road, Cloughmills, Co Antrim BT44 9PU
SC117	Main Street, Castlewellan, Down, BT31 9DQ
SC118	Gallows Street, Banbridge, Co Down BT25
SC119	Cookstown Leisure Centre, 78 Fountain Rd, Cookstown, Co Tyrone BT80 8QF
SC120	Porthlenone Road, Randalstown, Co Antrim BT41 3EH
SC121	Greencastle St, Kilkeel, Co Down, BT34 4QD
SC122	Oaks Road, Dungannon, Co Tyrone BT71 4NA
SC123	Bangor Road, Holywood, Co Down BT18 0EU
SC124	Tullyvar Road, Dungannon, Co Tyrone BT70 2
SC125	Lisburn Street, Hillsborough, Co Down BT26 6AB
SC126	Donard Park, Newcastle, Co Down BT33 0SE
SC127	Upper Newtownards Road,Belfast,BT4 3LP
SC128	Ivanhoe Inn & Hotel, 556 Saintfield Rd, Castlereagh, Co Down BT8 8EU
SC129	The Quays Shopping Centre, Newry, Co Down BT35 8QS
SC130	Havelock Place, Warrenpoint, Newry, Co Down BT34 3NE
SC131	Bridgewater Park, Banbridge, Co Down BT32 4GJ
SC132	Eastside Park and Ride, Middlepath St, Belfast BT5 4BG
SC133	Crevenagh Road,Omagh, Co Tyrone BT78 1ND
SC134	Car Park, Edfield Way, Fivemiletown, Co Tyrone BT75 0QN

Ref. No.	Location
SC135	Oxford Island National Nature Reserve, Craigavon, Co Armagh BT66 6NJ
SC136	Mourne Esplanade, Kilkeel Leisure Centre, Co Down BT34 4DB
SC137	Quay Street,Bangor, Co Down BT20 5ED
SC138	Castle Street, Portaferry, Newtownards, Ards, Co Down BT22 1NZ
SC139	Kennedy Centre, 564-568 Falls Road, Belfast,BT119AE
SC140	Spar Car Park, 46 Main Street, Derrylin, Enniskillen, Co Fermanagh BT92 8JW
SC141	Lynda Avenue, Co Antrim BT37 0NX
SC142	Railway Place, Coleraine, BT52 1PQ
SC143	Craigadick Park & Ride, Glenshane Rd/Tobermore Rd A6 & A29, Maghera, BT46 5DR
SC144	Templepatrick Park and Ride, A6 Belfast Rd/Paradise Walk, Co Antrim BT39 0DD
SC145	Moneynick Road A6,Toomebridge, Co Londonderry BT41 2JH
SC146	Main Street, Bushmills, Co Antrim BT57 8QB
SC147	The Glade, Newtownabbey, Co Antrim BT36 5NN
SC148	33 Garryduff Road, Ballymoney, Co Antrim BT53 7DB
SC149	St Patricks Street, Draperstown, Co Londonderry BT45 7AL
SC150	Chapel Road, Dungiven, Co Londonderry BT47 4RT
SC151	Tower Road, Larne, Co Antrim BT32 1AB
SC152	New Road, Glenarm, Co Antrim BT44 0AA
SC153	Thomas Street, Ballymena, Co Antrim BT43 6UF
SC154	Henry Street, Ballymena, Co Antrim BT42 3AH
SC155	Castledawson Road Park and Ride, Co Londonderry
SC156	Brunswick Moviebowl, Brunswick Lane, Londonderry BT48 0LU
SC157	Downshire Place, Banbridge, Co Down BT32 3DF
SC158	274 Coast Road, Larne, Co Antrim BT40 2QZ
SC159	Main St, Plumbridge, Strabane, Co Tryrone BT79 8AA
SC160	Galgorm Road, Ballymena, Co Antrim BT42 1AD
SC161	Saintfield Road, Lisburn, Co Down BT27 5PG

Mr Weir asked the Minister for Regional Development to detail any planned new electric vehicle charging points in (i) North Down; and (ii) Northern Ireland.
(AQW 37130/11-15)

Mr Kennedy: My Department has been awarded £600,000 funding from the Office for Low Emission Vehicles (OLEV) in the Department for Transport to install electric vehicle charge points across the public sector estate. This will include other Departments, Councils, hospitals, National Trust and other public sector property. My Department plans to install 5 electric vehicle charge points in North Down and approximately 100 in Northern Ireland before the end of the current financial year.

Mr Easton asked the Minister for Regional Development how much of a dividend has NI Water given to his Department in each of the last three financial years.
(AQW 37133/11-15)

Mr Kennedy: My Department's Operations & Maintenance workforce has the resources to cover around 75% of routine maintenance activities and 25% of street lighting repairs. Whilst this does not completely fill the void left by external contractors, they will endeavour to keep the road network as safe as possible. I can confirm that operatives have the specialist skills and equipment necessary to carry out the additional maintenance work it has had to undertake. Where necessary, specialist equipment has been redeployed and training provided in-house to fully accredited standards. In exceptional circumstances, where Operations & Maintenance staff do not have the skills or equipment available, external contractors may be employed to deal with emergency situations, or where there is a risk to public safety

I can assure the Member that public safety concerns are not disregarded by my Department. In order to deal with the health and safety implications, I have established priorities which take account of the budgets I have available.

Mr Easton asked the Minister for Regional Development for a comparison of the efficiency of NI Water with its equivalent bodies in the rest of the UK.
(AQW 37135/11-15)

Mr Kennedy: The NI Authority for Utility Regulation (NIAUR) is responsible for the regulation of NI Water. Its most recent Cost and performance report for 2013/14 published on 1 October 2014 states that the efficiency gap between NI Water and the most efficient companies in England and Wales has closed to 18%.

NIW has made significant improvements to its operating cost efficiency since its creation in 2007 when the efficiency gap to the average company in England and Wales was approximately 42.6% and the efficiency gap to the most efficient companies was approximately 48.7%.

Mr Easton asked the Minister for Regional Development to detail the profit made by NI Water in each of the last three financial years.
(AQW 37136/11-15)

Mr Kennedy: AQW 37136/11-15

The profit figures in the NI Water Annual Report and Accounts show accounting profits which provide no additional spending power either to NI Water or DRD.

As a result of differences in accounting treatments in the Statutory and Regulatory accounts, the results for the year in the respective accounts are noticeably different. Differences are specifically in relation to how developer contributions, infrastructure renewal depreciation and notional financing of PPP contracts are accounted for under IFRS (Statutory accounts) and UKGAAP (Regulatory accounts).

	Statutory Accounts			**Regulatory Accounts**		
	2011/12 £k	**2012/13 £k**	**2013/14 £k**	**2011/12 £k**	**2012/13 £k**	**2013/14 £k**
Profit after tax and before dividend	114,604	110,232	153,341	40,377	40,788	71,027

Mr Campbell asked the Minister for Regional Development what progress is planned during 2015 on the dualling of the A26 road to Glarryford.
(AQW 37142/11-15)

Mr Kennedy: The procurement process for the A26 Dualling scheme is currently at an advanced stage with award of contract expected within the next few weeks. It is anticipated that construction of the scheme will commence by the end of this year and run for 28 months.

It is envisaged that significant progress will be made on earthworks and the construction of the structures during 2015.

Mrs D Kelly asked the Minister for Regional Development whether his Department has any plans to extend the parking facilities at Lurgan Railway Station.
(AQW 37189/11-15)

Mr Kennedy: In addition to the overall Park and Ride programme itself, the Department has a further list of additional projects under consideration which includes proposals for a project at Lurgan railway station. Translink is currently developing options for the provision of additional Park & Ride spaces at this station. This will be subject to the necessary approvals and funding availability. Work has also been taken forward to increase capacity at a nearby car park.

Mr Lyttle asked the Minister for Regional Development for an update as to progress of the Inter-departmental Programme Board on the Strategic Drainage Infrastructure Plan; and a timescale for its completion.
(AQW 37194/11-15)

Mr Kennedy: The Strategic Drainage Infrastructure Programme Board is in the process of being established following Executive approval in July 2014. The relevant departmental Ministers have nominated their representatives to the Programme Board, which will involve senior officials from DOE, DARD, DFP and DRD, together with NI Water, Belfast City Council and SIB. The first meeting of the Programme Board has been scheduled for November and the initial focus of the project will be to develop a drainage infrastructure plan to enable a long-term work programme for South and East Belfast to be developed and costed. Subsequently, the Programme Board will develop similar plans for the rest of Belfast (Phase 2) and the remaining significant flood risk areas in NI (Phase 3).

Given that the programme of work is in the early development stage, a timescale for completion has not as yet been set.

Mr Lyttle asked the Minister for Regional Development how the £750 million deemed necessary by the NI Water PC15 Business Plan for Belfast Drainage and Wastewater Treatment will be financed.
(AQW 37195/11-15)

Mr Kennedy: The Northern Ireland Executive has agreed that an interdepartmental group be established to develop a Strategic Infrastructure Plan to support economic growth, protect the environment and address flood risk within Northern Ireland. The Executive has noted the additional funding likely to be required to implement a future plan and a key objective of the group will be to develop a capital investment funding strategy. This will then provide a basis for funding to be sought through the normal public expenditure process.

Mr Lyttle asked the Minister for Regional Development for an update on (i) the work of the Inter Agency Flood Investment and Planning Group; (ii) the Water Strategy; and (iii) the progress on PEDU 'Review of the Response to Flooding in June 2012' Report recommendations.
(AQW 37201/11-15)

Mr Kennedy:

(i) The Flood Investment and Planning Group provides a co-ordinated approach to the identification of flooding issues to be addressed on a multi-agency basis. The Group has been in existence for just over a year and provides an effective forum to focus on integrated solutions to flooding issues that are not entirely the responsibility of one organisation. The work of the Group is ongoing and includes the coordination of investigations and development of flooding solutions at a number of locations across Northern Ireland.

(ii) On 20 June 2014, I launched a 16 week consultation on a Long-Term Water Strategy for Northern Ireland which ended on 10 October 2014. My Department is currently reviewing the Strategy in the light of comments received and will bring a draft consultation report to the Committee for Regional Development in December 2014. Subject to Executive approval, I aim to publish the final Strategy in March 2015.

(iii) The Department of Agriculture and Rural Development (DARD) is the lead Department for coordinating the response to the thirty-one recommendations contained in the PEDU Report. DARD has advised that twenty seven of the recommendations are now substantially complete. Work continues on four of the remaining recommendations, with good progress being made on the provision of flood warning and informing and the progression of the business case for Individual Property Protection. Work also continues on the development of improved electronic communication of the Flooding Incident Line.

Mr Easton asked the Minister for Regional Development for a breakdown of the money that his Department has received from sources other than the Executive, in each of the last two years.
(AQW 37230/11-15)

Mr Kennedy: Details of my Department's accruing resources, including capital grant income, received in the 2012-13 and 2013-14 financial years can be found on page 83 of the Departmental Annual Report and Accounts which are available at the following link: http://www.drdni.gov.uk/index/publications/publications-details.htm?docid=10050

The capital income for the two years is as follows:

	2012-13 £'000	**2013-14 £'000**
Proceeds of asset disposals	1,873	2,268

Income that can be utilised by my Department is restricted to the limits voted by the Assembly through the Budget Bills which reflect the Main and Supplementary Estimate position.

Although provided for in my Department's Main and Supplementary Estimates the dividend and loan interest from NI Water are, in line with public expenditure requirements, non budget items and do not provide any additional spending power for my Department.

Mr Easton asked the Minister for Regional Development how much EU funding NI Water received in the last three financial years.
(AQW 37231/11-15)

Mr Kennedy: NI Water has received EU funding of £38,347 in the last three financial years.

The payment was received in 2012/13 from Queens University Belfast in relation to the ATWARM (Advanced Technologies for Water Resource Management) Marie Curie Initial Training Network which was funded by the EC FP7 (Seventh Framework Programme) People Programme. This payment supported the work of a researcher in NI Water.

Mr Easton asked the Minister for Regional Development whether any senior managers of NI Water are supplied with a company car.
(AQW 37232/11-15)

Mr Kennedy: No senior managers within the NI Water are supplied with a company car.

Mr Easton asked the Minister for Regional Development how much NI Water has spent on hospitality in each of the last three financial years.
(AQW 37233/11-15)

Mr Kennedy: The amount spent by Northern Ireland Water on hospitality in each of the last three financial years was as follows:-

- 2011/12 £19,155
- 2012/13 £14,526
- 2013/14 £17,725

Mr Dunne asked the Minister for Regional Development what plans his Department has to introduce more Park and Ride facilities in North Down.
(AQW 37262/11-15)

Mr Kennedy: Following a Strategic Review of Park & Ride in 2011, my Department established a Park & Ride Programme Board which is responsible for co-ordinating and prioritising the implementation of 'Park & Ride' and 'Park & Share' projects, in line with the Department's strategy.

The Programme Board produced a 'Park & Ride Strategic Delivery Programme 2013-15', which is a prioritised schedule of new Park & Ride projects with clearly defined responsibilities for funding, implementation, maintenance and operation. This Programme plans to create at least an additional 1000 'Park & Ride' and 'Park & Share' spaces across Northern Ireland.

To date, the Programme has delivered over 600 additional Park & Ride spaces. Around 230 of these additional spaces have been provided in North Down, where the former pay and display car park in Dufferin Avenue, Bangor has been operating as a Park & Ride site since December 2013.

Options for the delivery of additional Park & Ride facilities at Holywood and Carnalea Train Halts are also currently being considered by Translink.

Mr Campbell asked the Minister for Regional Development how much was paid out in compensation claims to members of the public who had been involved in accidents on public footpaths in (i) 2012; and (ii) 2013.
(AQW 37285/11-15)

Mr Kennedy: My Department does not hold the information in the format requested.

Mrs Cochrane asked the Minister for Regional Development, pursuant to AQO 6788/11-15, to detail (i) whether he is confident that internal contractors have the appropriate specialist skills and equipment to adequately fill the void left by external contractors; (ii) what efforts have been made to upskill internal contractors and acquire the additional equipment necessary to adequately address public safety concerns; (iii) the criteria that has to be met before external contractors are employed in the absence of appropriate specialist skills and equipment being available from internal resources; and (iv) to what extent it is appropriate for public safety concerns to be disregarded in the context of budgetary cuts.
(AQW 37311/11-15)

Mr Kennedy: My Department's Operations & Maintenance workforce has the resources to cover around 75% of routine maintenance activities and 25% of street lighting repairs. Whilst this does not completely fill the void left by external contractors, they will endeavour to keep the road network as safe as possible. I can confirm that operatives have the specialist skills and equipment necessary to carry out the additional maintenance work it has had to undertake. Where necessary, specialist equipment has been redeployed and training provided in-house to fully accredited standards. In exceptional circumstances, where Operations & Maintenance staff do not have the skills or equipment available, external contractors may be employed to deal with emergency situations, or where there is a risk to public safety

I can assure the Member that public safety concerns are not disregarded by my Department. In order to deal with the health and safety implications, I have established priorities which take account of the budgets I have available.

Mr Dunne asked the Minister for Regional Development, pursuant to AQW 36747/11-15, which district council does not currently have an arrangement to salt city and town centre footways during times of prolonged ice and snow.
(AQW 37337/11-15)

Mr Kennedy: My Department currently has arrangements with 25 of the 26 District Councils to salt city and town centre footways during times of prolonged ice and snow. The agreements range from formal agreements to more informal arrangements, contained in an exchange of letters between the respective parties. These councils are being contacted to ensure continuity of service for the incoming winter season.

The remaining council, Antrim Borough Council, has also been contacted again in recent days by my officials to see if it would reconsider its position and enter into the proposed partnering arrangements. Whilst it has again declined our offer, my officials will continue to encourage Antrim Borough Council to come on board.

Mr Easton asked the Minister for Regional Development to detail the (i) number; (ii) cost; and (ii) location of trips abroad by departmental senior management in each of the last three years.
(AQW 37387/11-15)

Mr Kennedy: The number, cost and location of trips abroad by departmental senior management in each of the last three years for the Department is as follows:

Financial Year	Number	Cost	Location
2011-12	5	£8,786	Brussels, Belgium Nantes, France Washington/ Boston, USA
2012-13	1	£422	Paris, France
2013-14	4	£11,034	Brussels, Belgium Geneva, Switzerland Washington/ New York/ Denver, USA

Mr Easton asked the Minister for Regional Development how many private companies have had their contracts with his Department cancelled due to the budget cut backs.
(AQW 37388/11-15)

Mr Kennedy: No contracts with my Department have been cancelled due to budget cuts.

Mr Weir asked the Minister for Regional Development whether a decision has been taken of the parking regime that will be applicable to the parking bays on Bangor High Street once the public realmn works are complete.
(AQW 37389/11-15)

Mr Kennedy: The parking regime on Bangor High Street will remain unchanged following completion of the ongoing public realm works.

Mr Weir asked the Minister for Regional Development whether a decision has been taken on the charges applicable to the parking bays on Bangor High Street when the public realms work are complete.
(AQW 37390/11-15)

Mr Kennedy: There will be no change to the current free parking arrangement for the on-street parking bays in High Street, Bangor upon completion of the ongoing public realm works at that location.

Mr Allister asked the Minister for Regional Development what are the qualifying criteria for the payment of a telephone allowance to staff of NI Water.
(AQW 37396/11-15)

Mr Kennedy: The criteria that determines eligibility for receipt of the telephone allowance is set out in the NI Water Employee Handbook, which states that 'Designated Officers with a salary not exceeding the maximum of the scale of Staff Officer (Level 5) who, by the nature of their work, must have a telephone installed in their homes'.

In the main, it is Designated Officers engaged in frontline operational service roles who receive this payment.

Mr Agnew asked the Minister for Regional Development (i) for a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly Library for scrutiny ahead of the Assembly debate.
(AQW 37403/11-15)

Mr Kennedy: The tables below set out the bids which I put forward for consideration under the October Monitoring Round process.

Table 1 – Resource Bids

	£m
Release of Value from Belfast Harbour Commissioners	20.0
Concessionary Fares	4.5
NI Water Price Control (PC13) Final Determination - Shortfall	4.2
Street Lighting - Repairs	4.0

	£m
Roads and Bridges Essential Maintenance	8.0
NI Water Depreciation Costs (non cash)	1.0
Total	**41.7**

Table 2 – Capital Bids

	£m
Structural Maintenance	45.0
Plant and Equipment - (Fleet Replacement)	4.0
Belfast Urban Traffic Control Upgrade (Traffic Control Centre – Telematics)	1.7
Local Transport and Safety Measures and Minor Network Capital Improvements (Minor Works and Network Development)	3.0
Local Transport and Safety Measures - Vehicle Restraint Systems	1.0
Bridge Strengthening	1.0
Rail and Bus - Infrastructure	1.0
Cycling Infrastructure Schemes	1.0
NI Water – Treatment works, sewers and reservoir improvements	7.5
Total	**65.2**

My Department and its arms length bodies have a range of statutory obligations including duties to maintain the road network, to provide wholesome water and maintain waste water services which comply with environmental standards, and to provide safe and accessible transport systems. In addition, my Department leads on and contributes to a number of Programme for Government commitments including sustainable transport and greenhouse gas commitments.

All of my Department's Resource and Capital bids were to meet inescapable requirements or to support the delivery of statutory obligations and Programme for Government commitments.

I will not deposit a copy of my Department's bids in the Assembly Library for scrutiny ahead of the Assembly debate. The details of my Department's bids are provided above.

Mr Easton asked the Minister for Regional Development which company has a contract with Translink for supplying fuel. **(AQW 37412/11-15)**

Mr Kennedy: Translink currently sources its fuel from Lissan Coal Company.

Mr Easton asked the Minister for Regional Development which company has a contract with NI Railways for supplying fuel. **(AQW 37413/11-15)**

Mr Kennedy: Northern Ireland Railways currently sources its fuel from Lissan Coal Company.

Mr Weir asked the Minister for Regional Development whether the drying of cloths on site, to reduce weight for disposal, is common at waste water facilities; and whether NI Water has any plans to ban this practice given the resulting unpleasant odour. **(AQW 37504/11-15)**

Mr Kennedy: I have been advised by Northern Ireland Water that it is not its practice at any of its wastewater treatment facilities to dry out cloths in order to reduce the weight for disposal. At larger facilities a compaction chute is used to reduce the volume of screenings before they enter skips for disposal. Some drying may occur naturally during this stage however this is limited due to the turnaround times of skips.

Odour from the majority of wastewater treatment works is regulated by District Council Environmental Health Officers under the statutory nuisance provisions of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011. Any complaint about odours at these sites should be directed towards local councils in the first instance for investigation.

Mr Easton asked the Minister for Regional Development to detail the level of reserve funds held by his Department. **(AQW 37534/11-15)**

Mr Kennedy: My Department holds no reserve funds.

Mr McGlone asked the Minister for Regional Development what measures his Department has in place to improve road markings in the coming months.
(AQW 37646/11-15)

Mr Kennedy: As I explained in my letter of 11 September 2014 to you, my Department's Resource Budgets that are used for the day to day maintenance of the road network have been cut. As a result, I have had no option other than to stop issuing new work instructions to our external contractors, who currently undertake around one quarter of our routine maintenance work, which includes road marking renewal.

My Department will continue to inspect roads and footways in accordance with our established inspection regime and defects including faded road markings will be recorded as normal. My Department's Operations and Maintenance staff will endeavour to keep the road network in as safe a condition as possible, however, due to the current financial constraints and only having resources to complete around three quarters of the total workload, repairs are being prioritised on the basis of safety. Regrettably, the level of service provided is likely to fall below the standards the public would expect in normal circumstances.

Mr Agnew asked the Minister for Regional Development what effort has been made to rebalance his Department's spend in favour of public and active transport.
(AQO 6887/11-15)

Mr Kennedy: The balance of previous investment in transport was heavily influenced by the direction set out in the Investment Strategy for Northern Ireland. While aiming to address the historic under-investment in our infrastructure, the strategy did have the effect of increasing the balance of investment in favour of roads.

I have previously set out my commitment to a more integrated approach to transport investment. That is a key focus of the Policy Prioritisation Framework I established to prioritise transportation spending on major capital projects in preparation for the next Budget round. Significant progress has been made and I am currently considering a suite of transport investment options for the Budget period, which aim to align with Executive priorities while providing a more balanced approach to transport investment.

Progress of my ambitions will depend on the amount of funding that can be made available from the Executive's budget and, where possible, from European grant programmes. However, I am determined to deliver and build on the progress we are already seeing. In particular I am committed to ensuring that walking and cycling is placed at the centre of local transport arrangements. I was greatly encouraged by the high level of interest and participation in my Changing Gear Seminar. Around 180 people attended the event to hear from international speakers, speakers who will continue to work with us in delivering my ambitions for cycling.

As a result of investment my Department has made in our public transport infrastructure we are already experiencing the highest levels of passenger numbers on rail since 1967. Delivery of my proposals for railway investment will build on this, allowing for a significant enhancement of existing rail capacity, preparation for the future electrification of the network and the first major extensions to the railway since the closing of lines following the Benson Report in 1963.

Mr A Maginness asked the Minister for Regional Development what progress has been made with local councils to ensure that footpaths and car parks are gritted.
(AQO 6888/11-15)

Mr Kennedy: My Department currently has arrangements with 25 of the 26 District Councils to salt city and town centre footways during times of prolonged ice and snow and these councils are being contacted to ensure continuity of service for the incoming winter season.

The remaining council, Antrim Borough Council, has also been contacted again in recent days by my officials to see if it would reconsider its position and come on board with the proposed partnering arrangements, however, it has again declined our offer. Officials will, however, continue their efforts to bring Antrim Borough Council on board.

The agreements with councils do not include the salting of car parks nor are car parks usually included as part of the primary salted network. That said, salting of car parks may be carried out as part of a secondary salting schedule but is subject to the availability of resources. Secondary salting will only usually be undertaken during particularly severe, prolonged and hazardous weather conditions.

Mr Dallat asked the Minister for Regional Development to outline the criteria used to prioritise the urgency of capital projects, such as the A6.
(AQO 6889/11-15)

Mr Kennedy: In preparation for the next Budget round, the New Approach to Regional Transportation document mandates the development of a Policy Prioritisation Framework to use as a tool to assess and prioritise the need and urgency of transportation spending on major capital projects.

The Framework identifies and prioritises strategic transport interventions that most closely align with the Executive's priorities, in terms of the economy, the environment and social cohesion.

Using the building blocks identified in the current Programme for Government objectives, capital projects such as the A6 are carefully considered against a large number of desirable outcomes, and transport projects are then ranked in order of ability to deliver future prosperity through successful outcomes.

Drawing on this, I am currently considering a suite of transport investment options for the Budget period from 2016 to 2019.

While not pre-empting my final decision, I am determined to improve the connectivity between Belfast and Londonderry. In line with that, my Department has taken forward work to develop two schemes to dual the A6 from Randalstown to Castledawson and from Londonderry to Dungiven. Both are well advanced. You will be aware that in particular I have made funding available to advance the A6 Randalstown to Castledawson section to be shovel ready by 2015. While this will allow construction to commence at short notice, progress is very much dependent on my ability to secure the necessary resources and commitment from my Executive colleagues.

Mr Hazzard asked the Minister for Regional Development whether the transfer of car parks to local councils will be 'cost neutral' to the councils.
(AQO 6892/11-15)

Mr Kennedy: The transfer of the car parks and associated equipment will be rates neutral at the point of transfer to the new councils, with the Department of Finance and Personnel being responsible for the necessary financial arrangements and implications.

Mr Flanagan asked the Minister for Regional Development to set out his Department's planned capital investments in Fermanagh between now and the end of the current mandate.
(AQO 6893/11-15)

Mr Kennedy: My Department's proposed expenditure in relation to planned capital investment in Fermanagh for the current financial year is set out below.

	2014-15 £'million
Department	3.5
NI Water	12.9
Translink	Nil
Total	**16.4**

The extent of capital investment in 2015-16 in Fermanagh, and across the province, will be dependent on the level of funding available to me. As the Executive has yet to agree a Budget for 2015-16 it is not possible to be definitive about planned capital investment in the final year of the current mandate.

Department for Social Development

Mr Allister asked the Minister for Social Development for a breakdown of the expenses paid to senior management in the Housing Executive in the last twelve months.
(AQW 36537/11-15)

Mr Storey (The Minister for Social Development): The Housing Executive has defined senior management as its Chief Executive and five Directors and advise that expenses paid to those staff for the year ending 31 August 2014 were:-

- Business mileage - £2,433
- General expenses - £167
- Accommodation & other travel - £11,397

The accommodation and other travel costs relate to the Director of Transformation (currently interim Chief Executive) post as the package offered to the successful candidate included reimbursement of annual travel and local accommodation costs up to £15,000 per annum.

Mrs Dobson asked the Minister for Social Development to detail the criteria whereby individuals are banned from the Northern Ireland Housing Executive housing list; and how many people have been banned in each month of the last three years, broken down by district area.
(AQW 36923/11-15)

Mr Storey: The Housing Executive has provided the criteria relating to the disqualification of former tenants at Annex 1 attached.

The Housing Executive has also provided details of the number of former tenants who have been disqualified in each Housing Executive local office for each month in the last three years at Annex 2 attached.

Please note that for data protection purposes, the Housing Executive has advised that where a number is less than five, the exact figure is not provided.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Annex 1

RULES 49 TO 51 OF THE STATUTORY HOUSING SELECTION SCHEME (CRITERIA FOR DISQUALIFICATION OF FORMER TENANTS)

Rule 49 Disqualification Criteria

The Landlord (as defined in paragraph 1(1)) may disqualify any Applicant, other than a Full Duty Applicant if the circumstances referred to in any of the sub-paragraphs listed in 1) to 10) below exist in respect of that Applicant:

1. within the past two years, a County Court has granted an Order for Possession of a dwelling belonging to a Participating Landlord which the Applicant held under a secure tenancy; or
2. the Applicant owes an amount equal to or greater than four times the weekly full rent and rates in relation to a previous tenancy / tenancies of a Participating Landlord and has not made an agreement to repay the same; or
3. the Designated Officer is satisfied, on reasonable grounds, that the Applicant was guilty of Serious Anti-Social Behaviour (as defined at paragraph 51 below) within the past two years; or
4. the Designated Officer is satisfied, on reasonable grounds, that the Applicant wilfully caused substantial damage to relevant accommodation, which the Applicant was occupying at that time, and that the damage was caused within the past two years; or
5. the Designated Officer is satisfied, on reasonable grounds, that the Applicant abandoned a tenancy of a Participating Landlord within the past two years without giving due notice to the Landlord of that accommodation; or
6. the Designated Officer is satisfied, on reasonable grounds, that the Applicant is currently squatting, or has squatted during the past two years, in a dwelling belonging to a Participating Landlord; or
7. the Designated Officer is satisfied, on reasonable grounds, that the Applicant, within the past two years, has assisted or acquiesced in another squatting in a dwelling, belonging to a Participating Landlord, of which the Applicant was the tenant / licensee; or
8. the Designated Officer is satisfied, on reasonable grounds, that (within the past two years) the Applicant has engaged in violent behaviour while placed in relevant temporary accommodation; or
9. the Designated Officer is satisfied, on reasonable grounds, that, within the past two years, the Applicant has been guilty of violent behaviour towards the staff of any Participating Landlord; or
10. the Designated Officer is satisfied on reasonable grounds that, within the past two years, the Applicant has knowingly made a false statement or has knowingly given false information or has knowingly withheld information, in order to obtain an allocation of housing from a Participating Landlord.

Rule 50 Disqualification Criteria

For the purposes of Paragraph 49, accommodation is “relevant accommodation” if any of the following conditions apply:

1. the property belongs to a Participating Landlord; or
2. the property belongs to an agent of a Participating Landlord; or
3. the Applicant at the relevant time, was occupying the accommodation in consequence of the discharge by the Executive of its interim / temporary accommodation duties under the Housing (N.I.) Order.

Rule 51 Disqualification Criteria

For the purposes of Paragraph 49, Serious Anti-Social Behaviour is behaviour which affects another individual in his / her capacity as a residential occupier and which threatens the physical or mental health, safety or security of that individual (or the individual’s household). In particular, instances of Serious Anti-Social Behaviour are as follows:

1. The sale, supply and possession of illegal drugs.
2. Harassment and intimidation.
3. Any behaviour which causes, or is likely to cause, any significant or persistent danger, injury, loss or fear to any person living, working or otherwise lawfully in, or in the vicinity of, a dwelling.

Annex 2

	Oct 2011		Nov 2011		Dec 2011		Jan 2012		Feb 2012		Mar 2012		Apr 2012		May 2012		June 2012		July 2012		Aug 2012		Sept 2012	
NIHE Local Office	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**
North Belfast	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Belfast	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0
Shankill	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	0	0	*
South & East Belfast	0	*	0	0	0	*	0	*	0	0	0	0	0	0	0	*	0	0	0	*	*	*	0	0
Bangor	0	5	0	*	0	*	0	5	0	*	0	*	0	0	0	*	0	5	0	*	0	*	0	*
Castlereagh	0	*	0	9	0	*	0	*	0	9	0	6	0	*	0	*	0	*	0	*	0	*	0	5
Downpatrick	0	0	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0
Lisburn Antrim Street	0	9	0	5	0	11	0	*	0	*	0	7	0	*	0	10	0	*	0	7	0	*	0	8
Lisburn Dairy Farm	0	*	0	*	0	0	0	*	0	*	0	*	0	0	0	*	0	0	0	0	0	*	0	*
Newtownards	0	*	0	*	0	*	0	*	0	0	0	0	0	*	0	*	0	0	0	0	*	0	0	*
Armagh	0	0	0	0	0	0	0	*	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0
Banbridge	0	0	0	0	0	*	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0
Dungannon	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	*	0	*	0	*	0	*	0	*
Fermanagh	0	*	*	*	0	*	0	0	0	*	0	*	0	*	0	*	0	*	0	0	*	*	0	0
Craigavon (Lurgan)	0	*	0	*	0	*	0	*	*	*	0	0	0	*	0	*	0	*	0	*	*	*	0	*
Portadown	0	*	0	*	0	*	0	*	0	*	0	0	0	*	0	*	0	0	0	*	0	5	0	*
Newry	0	*	0	*	0	0	0	*	0	*	0	0	0	*	0	0	0	*	0	0	0	0	0	0
Antrim	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	*	0	*
Ballymena	0	*	0	0	0	0	0	*	0	*	0	*	0	*	0	0	0	0	0	*	0	0	0	0
Ballymoney	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	*	0	0	0	0
Ballycastle	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0
Carrickfergus	0	*	0	0	0	0	0	*	0	*	0	*	0	*	0	0	0	0	0	*	0	0	0	0
Coleraine	0	10	0	*	0	0	0	10	0	*	0	*	0	*	0	*	0	*	0	*	*	0	0	*
Larne	0	0	0	*	0	*	0	*	0	*	0	0	0	*	0	0	0	*	0	0	0	0	0	*
Newtownabbey 1	0	0	0	0	0	*	0	0	0	*	0	0	0	*	0	0	0	*	0	*	0	0	0	0
Newtownabbey2	0	*	0	*	0	*	0	*	0	7	0	0	0	*	0	0	0	0	0	*	0	0	0	0
Cookstown	0	*	0	0	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0	0	0
Waterloo,	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0
Waterside,	0	6	0	*	0	*	0	*	0	0	0	*	0	0	0	*	0	0	0	*	0	*	0	*
Collon Terrace,	0	0	0	*	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	*
Limavady	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	*	0	0	0	0	0	0	0	0
Magherafelt	0	0	0	0	0	*	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	*	0	*
Omagh	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0
Strabane	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	*	0	*

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	Oct 2012		Nov 2012		Dec 2012		Jan 2013		Feb 2013		Mar 2013		Apr 2013		May 2013		June 2013		July 2013		Aug 2013		Sept 2013	
NIHE Local Office	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**
North Belfast	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Belfast	0	*	0	0	0	0	0	0	0	*	0	0	0	0	0	*	0	*	0	0	0	0	0	0
Shankill	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	0	0	*
South & East Belfast	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	*	0	0	0	0	0	0
Bangor	0	*	0	5	0	*	0	*	0	*	0	*	0	*	0	*	0	*	0	0	0	0	0	0
Castlereagh	0	*	0	8	0	6	0	6	0	6	0	*	0	9	0	7	0	8	0	7	0	*	0	7
Downpatrick	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lisburn Antrim Street	0	*	*	8	*	*	0	*	*	*	0	*	0	5	0	0	0	6	0	6	*	*	0	*
Lisburn Dairy Farm	0	0	0	0	0	0	0	*	0	0	0	*	0	*	0	0	0	*	0	*	0	*	0	0
Newtownards	0	*	0	0	0	*	0	*	0	*	0	*	0	0	0	*	0	*	0	*	0	*	0	*
Armagh	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0
Banbridge	0	0	0	0	0	0	0	*	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0
Dungannon	0	0	0	0	0	0	0	*	*	*	0	*	0	*	0	*	0	*	0	6	0	6	0	*
Fermanagh	0	*	0	*	0	*	*	*	0	*	*	*	0	*	0	*	0	*	*	*	0	7	*	8
Craigavon (Lurgan)	0	*	0	*	0	*	0	0	0	*	0	*	0	*	0	*	0	*	0	*	0	0	0	0
Portadown	0	5	0	*	0	*	0	*	0	*	0	*	0	*	0	*	0	*	0	*	0	*	*	*
Newry	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	*	0	*	0	*	0	0
Antrim	0	0	0	0	0	0	0	*	0	0	0	6	0	0	0	0	0	*	0	0	0	0	0	*
Ballymena	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ballycastle	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0
Ballymoney	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Carrickfergus	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	*	0	*	0	*	0	0
Coleraine	0	8	0	*	0	*	0	*	0	0	0	*	0	*	0	0	0	*	0	*	0	*	0	*
Larne	0	*	0	0	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0
Newtownabbey	0	*	0	*	0	0	0	0	2	0	0	*	0	0	0	*	0	*	0	0	0	0	0	*
Newtownabbey2	0	0	0	*	0	*	0	*	0	*	0	0	0	0	0	0	0	*	0	*	0	*	0	*
Cookstown	0	*	0	0	0	0	0	0	0	*	*	*	0	*	0	0	0	*	0	*	0	*	0	0
Waterloo,	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0
Waterside,	0	*	0	0	0	0	0	0	0	*	0	*	0	*	0	0	0	*	0	*	0	0	0	0
Collon Terrace,	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Limavady	0	0	0	*	0	*	0	*	0	0	0	*	0	*	0	*	0	0	0	0	0	0	0	*
Magherafelt	0	0	0	0	0	*	0	*	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	*
Omagh	0	0	0	*	0	0	0	*	0	*	0	0	0	*	0	*	0	*	0	*	0	*	0	*
Strabane	0	*	0	*	0	*	0	*	0	*	0	*	0	0	0	*	0	0	0	*	0	*	0	*

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	Oct 2013		Nov 2013		Dec 2013		Jan 2014		Feb 2014		Mar 2014		Apr 2014		May 2014		June 2014		July 2014		Aug 2014		Sept 2014	
NIHE Local Office	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**	**A**	**P**
North Belfast	0	0	0	0	0	0	0	*	0	0	0	*	0	*	0	*	0	0	0	*	0	*	0	0
West Belfast	0	*	0	*	0	0	0	*	0	0	0	6	0	*	0	*	0	0	0	*	0	*	0	*
Shankill	0	*	0	0	0	*	0	*	0	0	0	*	0	0	0	*	0	0	0	0	0	0	0	*
South & East Belfast	0	*	0	*	0	0	0	0	0	*	0	*	0	*	0	*	0	0	0	*	0	*	0	*
Bangor	0		0	0	0	0	0	0	0	*	0	7	0	*	0	*	0	*	0	5	0	5	0	5
Castlereagh	0	5	0	*	0	9	0	5	0	*	0	5	0	*	0	*	0	*	0	0	0	0	0	0
Downpatrick	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lisburn Antrim Street	0	*	*	*	*	5	*	0	0	*	0	*	0	*	0	*	0	6	0	5	0	*	0	*
Lisburn Dairy Farm	0	*	0	0	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	0	0	0	0	0
Newtownards	0	5	0	*	0	*	0	*	0	*	0	*	0	0	0	0	0	0	0	0	0	0	0	0
Armagh	0	0	0	0	0	0	0	*	0	*	0	0	0	0	0	*	0	0	0	0	0	0	0	0
Banbridge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0
Dungannon	0	*	0	*	0	*	0	*	0	5	0	*	0	*	0	0	0	*	0	*	0	*	0	*
Fermanagh	0	6	0	*	0	0	0	*	*	*	0	*	0	*	0	*	0	*	0	*	0	5	0	*
Craigavon (Lurgan)	0	*	0	6	0	*	0	0	0	0	*	0	0	*	0	*	0	*	0	0	0	*	0	*
Portadown	0	0	0	0	0	*	0	*	0	*	0	*	0	*	0	*	0	5	0	*	0	5	0	0
Newry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0
Antrim	0	*	0	*	0	*	0	*	0	*	0	*	0	*	0	0	0	0	0	*	0	*	0	*
Ballymena	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ballycastle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ballymoney	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Carrickfergus	0	0	0	0	0	*	0	*	0	*	0	6	0	*	*	*	0	*	0	0	0	*	0	0
Coleraine	0	5	0	*	0	*	*	*	0	*	0	6	0	*	0	6	0	*	0	*	0	*	0	*
Larne	0	0	0	0	0	0	0	*	0	0	0	*	0	*	0	0	0	*	0	0	0	0	0	0
Newtownabbey1	0	*	0	0	0	0	0	0	0	*	0	0	0	0	0	0	0	0	0	0	0	0	0	*
Newtownabbey2	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	*	0	*	0	*	*	*	0	0
Cookstown	0	0	0	*	0	*	0	0	*	*	0	*	0	0	0	0	0	0	0	*	0	*	0	0
Waterloo,	0	0	0	0	0	0	0	*	0	0	0	*	0	0	0	*	0	0	0	0	0	*	0	*
Waterside	0	*	0	0	0	*	0	0	0	*	0	*	0	0	0	0	0	*	0	*	0	0	0	*
Collon Terrace,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	*	0	*
Limavady	0	*	0	0	0	0	0	*	0	*	0	0	0	0	0	0	0	0	0	0	0	*	0	0
Magherafelt	0	0	0	0	0	0	0	0	*	*	0	*	0	*	0	*	0	0	0	0	0	0	0	0
Omagh	0	*	0	*	0	*	0	*	0	0	0	*	0	0	0	*	0	*	0	*	0	0	0	*
Strabane	0	*	0	*	0	*	0	*	0	0	0	0	0	0	0	*	0	*	0	0	0	*	0	0

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Mr G Robinson asked the Minister for Social Development whether there are any plans to close the Limavady Northern Ireland Housing Exective Direct Labour facility and relocate current staff to the Pennyburn facility in Londonderry.
(AQW 36964/11-15)

Mr Storey: The Housing Executive has advised that they initiated a review of the Grounds Maintenance Depot in Limavady and they are actively considering the closure of the facility with the option to relocate staff to the Pennyburn facility in Londonderry. Presently the Housing Executive management is in discussions with the staff concerned and their union representatives.

Mr G Robinson asked the Minister for Social Development what impact relocation of the Limavady Northern Ireland Housing Executive Direct Labour staff to Londonderry will have on the current outstanding service provided throughout the Limavady Borough.
(AQW 36966/11-15)

Mr Storey: The Housing Executive has advised that they initiated a review of the Grounds Maintenance Depot in Limavady and they are actively considering the closure of the facility with the option to relocate staff to the Pennyburn facility in Londonderry. Presently the Housing Executive management is in discussions with the staff concerned and their union representatives.

The Housing Executive expect to see no detrimental impact on service delivery and indeed anticipate that a better service could be provided from the larger depots, primarily Pennyburn; they advise this is currently the case for neighbouring areas including Strathfoyle, Eglinton and Claudy, with some rural areas of Limavady to be covered from Ballymoney.

Mr A Maginness asked the Minister for Social Development to detail the money provided by (i) his Department; (ii) the Northern Ireland Housing Executive; and (iii) housing associations to private landlords in each of the last three years; and to detail the purpose of the funding.
(AQW 36975/11-15)

Mr Storey: In relation to (i) and (iii), neither my Department nor Registered Housing Associations have paid money to private landlords in any of the last three years.

In relation to (ii), the Housing Executive's Private Sector Improvement Services has provided assistance to Landlords through the following funding streams: -

- Home Improvement Grants – for the repair, improvement and adaptation of private rented properties
- Warm Homes Grant – expenditure on energy efficiency measures to private rented properties
- Group Repair – Area based improvement works to the envelope of private rented terraced properties.

The tables below show the amount spent on landlord grants over the three previous financial years: -

Home Improvement Grants

Grant Type	2011-12	2012-13	2013-14	Total
Disabled Facilities Grants	£61,140	£241,460	£280,567	£583,167
Renovation Grants	£357,435	£203,984	£138,003	£699,422
Repairs Grants	£1,018,655	£1,192,829	£1,314,597	£3,526,081
Houses in Multiple Occupation Grants	£432,965	£157,405	£27,600	£617,970
Total	**£1,870,195**	**£1,795,678**	**£1,760,767**	**£5,426,640**

Warm Homes

2011-12	2012-13	2013-14	Total
£4,129,753	£6,446,179	£5,010,836	£15,586,768

Group Repair Scheme

2011-2012	2012-2013	2013-14	Total
£246,347	£542,283	£54,159	£842,789

The Housing Executive has also advised that it has paid housing benefit to private landlords over the last three years as detailed in the table below.

	2011-2012	2012-2013	2013-14	Total
Housing Benefit	£378m	£395m	£410m	£1183m

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.

Lord Morrow asked the Minister for Social Development to outline the process involved in the Special Purchase of Evacuated Dwellings (SPED) scheme; and what procedures are in place to compensate people affected who have been forced to incur debt as a result of having to leave their home through no fault of their own and solely due to security issues where the SPED purchase price falls below the equity of property involved.
(AQW 37004/11-15)

Mr Storey: The Housing Executive has advised that the Scheme for the Purchase of Evacuated Dwellings (SPED) is a statutory scheme under Article 29 of the Housing (Northern Ireland) Order 1983.

The following conditions must be satisfied before an application will be eligible for acceptance under SPED:

i. The house must be owner-occupied and must be the applicant's only or principal home.

ii. There must be evidence (substantiated by the PSNI) that it is unsafe for the applicant or member of his/her household residing with him/her to continue to live in the house, because that person has been directly or specifically attacked or intimidated and as a result is at risk of serious injury or death. A certificate stating this clearly, signed by the Chief Constable of the Police Service of Northern Ireland, or authorised signatory, must be provided to the Housing Executive.

Acquisition values are based on current property market value by Land and Property Services. A final valuation review may be requested by the Housing Executive if there is lack of agreement of acquisition value. The completion date of acquisition is within 10 weeks of signing of the contract by the purchaser or such earlier date as may be mutually agreed between both parties.

There is no provision under the Scheme for assistance with negative equity or payment of the applicant's legal costs. However, an Emergency Payment of £754 is payable to those who fulfil all of the following criteria:

i. The applicant is eligible to have their house purchased by the NIHE under SPED; and

ii. The applicant provides satisfactory evidence that he/she has been permanently re-housed following the intimidation or attack as either:

   a. An owner occupier, (evidenced by for example by a copy deed, copy memorandum of sale, letter from a solicitor), or

   b. A tenant in accommodation that the Housing Executive is satisfied will remain available to the applicant for a period of at least six months following the move, (evidenced by a copy tenancy agreement, letter from a Housing Association, confirmation from a Housing Executive Area Office).

Mr Anderson asked the Minister for Social Development for an update on the number of properties which are still to benefit from the window replacement scheme in Portadown during the 2014/15 financial year.
(AQW 37044/11-15)

Mr Storey: The Housing Executive has advised that their records indicate that only four properties remain in Ulsterville Grove, Portadown that need to be double glazed. A scheme, including these properties, has been briefed to the Housing Executive's Measured Term double glazing contractor and is currently programmed to commence on site in February 2015.

Mr Allister asked the Minister for Social Development to detail the welfare benefits paid, broken down by (a) constituency; and (b) benefit, in 2013/14, or the most up-to-date information that is available.
(AQW 37071/11-15)

Mr Storey: The amount of welfare benefit expenditure paid by the Department for Social Development for the 2013-14 financial year is disclosed in the table below. The information is presented per benefit category.

Welfare Expenditure per benefit	**2013-14 £000**
Retirement Pension	1,986,379
Christmas Bonus	4,852
Attendance Allowance	201,625
Carer's Allowance	132,652
Disability Living Allowance	937,495
Pension Credit	325,463
Income Support	223,998
Job Seekers Allowance	211,505
Employment and Support Allowance	528,693

Welfare Expenditure per benefit	2013-14 £000
Industrial Injuries Benefits	29,748
Widows Benefits	20,998
Incapacity Benefit	73,731
Maternity Allowance	11,873
Job Grant	1,896
Budgeting Loans	53,724
Crisis Loans	14,423
Maternity Payments	1,673
Funeral Payments	2,642
Community Care Grants	13,747
Winter Fuel Payments	54,045
Repayments of Social Fund Loans	(67,104)
Statutory Benefits	65,500
Housing Benefits	677,615
Total Benefit Expenditure	**5,507,173**

The Department for Social Development uses the Central Payment System to pay and account for the majority of social security benefits. Due to reporting restrictions within the Central Payment System it is not possible to provide the amount of welfare benefit expenditure broken down by constituency.

Mr Campbell asked the Minister for Social Development how many applicants were on the Housing Executive waiting list for (a) Coleraine; and (b) Limavady Borough Council areas on 1 January 2014; and what percentage of people were in housing stress. **(AQW 37111/11-15)**

Mr Storey: The information is not available in the format requested because the Housing Executive collates waiting list figures on a quarterly basis. Therefore the Housing Executive has provided the waiting list figures and the percentage in housing stress as at 31st December 2013 as shown in the table below:

Waiting List (December 2013)

Borough Council	Total Applicants	Number in Housing Stress	Percentage in Housing Stress
Coleraine	1260	634	50%
Limavady	475	177	37%

Mr Frew asked the Minister for Social Development to outline the reasons why some locations or housing schemes may be outside the normal housing selection scheme or be assessed or allocated differently. **(AQW 37122/11-15)**

Mr Storey: The Housing Executive has advised that as a general rule the Housing Selection Scheme applies to all applications to the Landlord for accommodation on a permanent basis. However, there is a small number of exceptions relating to applicants with complex needs; accommodation which has been designated as suitable for mature/elderly applicants, and accommodation which has been designated as difficult to let.

The Housing Selection Scheme does not apply to applicants with complex needs who require housing with care. Complex Needs applicants who require supported housing will be considered without reference to points and apart from the general needs waiting list. Examples of applicants with Complex Needs who require the supported housing option may include persons with major learning difficulties, frail elderly persons and persons with chronic debilitating mental conditions etc. Applicants will be housed in accordance with their individual needs subject to suitable supported accommodation being available.

Once a vacancy arises in one of the identified schemes the relevant Housing Association and its joint management partner will determine if that vacancy is suitable for the applicant at that time. They will consider whether the applicant's needs are unchanged since the last assessment took place and if these would be met by offering the applicant the vacant accommodation.

Under Rule 70A of the Housing Selection Scheme, a Landlord has the discretion to decide that accommodation which is within a block which has shared access to residents should not be allocated to a person under the age of 35 years of age. This lettings policy ensures that accommodation predominantly occupied by mature/elderly applicants is not subject to anti-social behaviour.

The Housing Executive is currently operating a pilot in up to 12 locations to test a new approach to allocating difficult to let stock in designated low demand areas on a Choice Based Lettings basis. The locations have been designated by managers as low demand/ difficult to let as defined under Rules 68 to 70 of the Housing Selection Scheme.

Choice Based Lettings is an approach to the allocation of social housing which allows people applying for a home to bid for properties which become available. The shortlist of bidders is then ranked and an offer is made to the applicant with the highest points under the rules of the Housing Selection Scheme.

Mr Frew asked the Minister for Social Development whether a person can receive additional points for housing if they request to be allocated near to family members for support reasons.
(AQW 37123/11-15)

Mr Storey: The Housing Executive has advised that all applicants for social housing are assessed and awarded points according to housing need under the rules of the Housing Selection Scheme. Points are awarded under four categories:

- Intimidation;
- Insecurity of Tenure;
- Housing Conditions; and
- Health and Social Well-Being.

Under the Health and Social Well Being category (Rule 44), 10 'Other Social Needs Points' may be awarded where the applicant can demonstrate that there is a need for him/her to move to another area in order to provide support to, or receive support from, another person; for example when the applicant wishes to move close to a frail or elderly person to provide support or when the applicant needs re-housing to be near to family for the provision of childcare to assist employment.

Mr Ross asked the Minister for Social Development to detail the level of detected fraudulent welfare claims in each of the last ten years.
(AQW 37147/11-15)

Mr Storey: The table below shows the number of detected fraudulent claims in each of the past ten years.

Year	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Total	190*	247*	630	711	905	982	1128	1025	1058	1132

* In the years 2004-05 and 2005-06 there is no data available for cases prosecuted which led to a conviction in the courts. The information held on convictions extends to the last eight years.

* This 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 Ross asked the Minister for Social Development to detail the number of staff that investigate suspected fraudulent welfare claims.
(AQW 37149/11-15)

Mr Storey: The number of staff investigating suspected fraudulent welfare claims, as at 30 September 2014, was 86 Officers, with a whole time equivalent of 82.26 officers.

Note: Whole time equivalent is a measurement of the staff resource available, taking into account full and part-time staff working hours.

Mr Ross asked the Minister for Social Development in how many cases his Department has sought to implement fines or prosecute through the courts for fraudulent welfare claims.
(AQW 37150/11-15)

Mr Storey: The table below shows how many cases the Department has sought to implement fines or prosecute through the courts for fraudulent welfare claims in the last financial year.

Sanctions	2013/14
Convictions (Prosecution)*	453
Administrative Penalty (Fine)	679

Sanctions	2013/14
Total	**1132**

* the number of convictions refers to the number of cases where the claimant was prosecuted and received a conviction.

Mr Dunne asked the Minister for Social Development for an update on the planned departmental investment of £250,000 to the 3G sports pitch in Kilcooley, Bangor.
(AQW 37216/11-15)

Mr Storey: The Kilcooley 3G pitch project is currently being considered by the Office of the First and Deputy First Minister for funding through the Social Investment Fund.

The Kilcooley Neighbourhood Renewal Partnership Board has included in its Action Plan a commitment of £250,000 as a part contribution towards the overall costs of the proposal. Should the Social Investment Fund application be successful my Department would be minded to support this commitment, through the Neighbourhood Renewal Investment Fund, subject to the completion of an economic appraisal, the availability of finance and the time frame for transferring its regeneration powers and budgets to the new Ards/ North Down Borough Council in April 2015 under the Reform of Local Government.

Mr Copeland asked the Minister for Social Development to detail the level of reserves in each of his Department's arm's-length bodies as of 1 October 2014.
(AQW 37242/11-15)

Mr Storey: The information provided below is for the Northern Ireland Housing Executive as at 31 March 2014. The Department is unable to provide adequate assurances on any balances as at 1st October 2014 reported by the Northern Ireland Housing Executive. The figures as at 31 March 2014 have been audited and as such we are content that they materially reflect the balances held at that date.

The NIHE accounts include a Statement of Comprehensive Net Expenditure Reserve and a Revaluation Reserve.

The amounts in each of these reserves at 31 March 2014 are as follows:

	£'000
Statement of Comprehensive Net Expenditure Reserve	1,060,366
Revaluation Reserve	503,265

An analysis of the Statement of Comprehensive Net Expenditure reserve at 31 March 2014 is set out below:

	£'000
General reserve	360,500
Realisation of the revaluation of assets on disposal	307,069
Actuarial gains/(losses) on defined benefit pension scheme	(60,856)
Movement in reserves due to change in accounting treatment	453,653
	1,060,366

The above balances are made up largely of notional amounts and generally do not represent cash balances. At 31 March 2014, the general reserve included a small cash reserve. The amount of the cash reserve included is required to cover the pay out of amounts provided for in the 2013-14 accounts. It does not represent surplus funds.

The revaluation reserve balance relates entirely to notional increases in asset value. This balance will be reduced if the asset suffers a permanent diminution in value, or as assets are disposed of.

Charity Commission for Northern Ireland (CCNI) does not have any reserves.

Lord Morrow asked the Minister for Social Development, pursuant to AQW 36137/11-15, to provide the total number of Disability Living Allowance applications for the corresponding years, showing how many were (i) refused; and (ii) approved.
(AQW 37256/11-15)

Mr Storey: The table below shows the total number of Disability Living Allowance applications determined in the previous 3 years and the number that were refused and awarded. The variations in numbers will be due to the nature and type of Disability Living Allowance applications received in any particular year.

Year	Total Number of DLA Applications Determined	Total Number of DLA Applications Refused	Total Number of DLA Applications Awarded
2011/12	21547	9111	12436
2012/13	21636	8625	13011
2013/14	21468	8689	12779

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 Campbell asked the Minister for Social Development, pursuant to AQW 36469/11-15, given that work in 4,500 of the 7,360 dwellings referred to has not yet commenced, whether the work due to be undertaken by contractors in the remaining months of the financial year will entail the recruitment of additional staff to meet Programme for Government 2011/15 targets.
(AQW 37286/11-15)

Mr Storey: The Housing Executive has advised that it has sufficient staff in place to deliver the Programme for Government target in relation to double glazing and does not envisage any recruitment in this regard. The Housing Executive has further advised that the contractors have indicated that they aim to deliver the target and there is no indication they will require additional staff.

Mr Easton asked the Minister for Social Development to detail the funding his Department provides for neighbourhood renewal projects in Kilcooley Estate, Bangor, in the current financial year.
(AQW 37314/11-15)

Mr Storey: Funding of £288,877 has been allocated to Neighbourhood Renewal projects in the Kilcooley Estate, Bangor in the current financial year.

Mr Easton asked the Minister for Social Development to detail the funding his Department provides for the Areas at Risk programme in Beechfield Estate, Donaghadee, in the current financial year.
(AQW 37315/11-15)

Mr Storey: Funding of £10,830 from the Areas at Risk Programme has been allocated to the Beechfield Estate, Donaghadee in the current financial year.

Mr Easton asked the Minister for Social Development to detail the funding his Department provides for the Small Pockets of Deprivation programme in Rathgill Estate, Bangor, in the current financial year.
(AQW 37317/11-15)

Mr Storey: In the financial year 2014/15, my department has granted funding of £69,818.05 from the Small Pockets of Deprivation programme to Rathgill Estate, Bangor.

Mr Easton asked the Minister for Social Development to detail the funding that will be transferred to the new North Down and Ards Council for Neighbourhood Renewal projects.
(AQW 37319/11-15)

Mr Storey: The Urban Regeneration and Community Development funds due to transfer from my Department to Local Councils is currently in the region of £66 million which is the overall envelope of funding, of which Neighbourhood Renewal is one element. The indicative share for the new North Down and Ards Council is £5 million. Whilst final amounts to transfer remain to be determined, they will ultimately be informed by the outcome of the Executive's 2015/16 budget process. The final allocations are expected to be notified to Councils in the coming weeks.

The Financial Allocation Model developed by my Department is based on a collaboration of socio-economic need and population estimates. It will be for Councils and their locally elected representatives to decide how best to address the needs of their areas through their respective Community Plans. Whilst Councils will be required to have regard for the Urban Regeneration and Community

Development Framework which has been shared with them, there is no obligation on Councils to deliver programmes or support any groups in the same way that my Department currently does.

Mr Easton asked the Minister for Social Development to detail the funding that will be transferred to the new North Down and Ards Council for the Small Pockets of Deprivation programme.
(AQW 37320/11-15)

Mr Storey: The Urban Regeneration and Community Development funds due to transfer from my Department to Local Councils is currently in the region of £66 million which is the overall envelope of funding, of which Small Pockets of Deprivation is one element. The indicative share for the new North Down and Ards Council is £5 million. Whilst final amounts

to transfer remain to be determined, they will ultimately be informed by the outcome of the Executive's 2015/16 budget process. The final allocations are expected to be notified to Councils in the coming weeks.

The Financial Allocation Model developed by my Department is based on a collaboration of socio-economic need and population estimates. It will be for Councils and their locally elected representatives to decide how best to address the needs of their areas through their respective Community Plans. Whilst Councils will be required to have regard for the Urban Regeneration and Community Development Framework which has been shared with them, there is no obligation on Councils to deliver programmes or support any groups in the same way that my Department currently does.

Mr Agnew asked the Minister for Social Development for an update on the review of the Housing Selection Scheme.
(AQW 37364/11-15)

Mr Storey: My Department recently published a summary of responses to the independent research it had commissioned to help inform the review of social housing allocations. This is available on the Department's website at: www.dsdni.gov.uk/index/hsdiv-housing/allocations-research.htm.

I will now give further consideration to the recommendations in the independent research, and the views expressed by respondents.

Ms Sugden asked the Minister for Social Development, of the number of public responses expressing views on three research reports commissioned by his Department into the allocation of social housing, how many of these were from individuals who are currently living in social housing.
(AQW 37371/11-15)

Mr Storey: Respondents to the reports were not asked about their current living arrangements, so this information is not available.

Mr Agnew asked the Minister for Social Development what progress has been made regarding the introduction of a developers contribution to social and affordable housing.
(AQW 37405/11-15)

Mr Storey: On 3 June 2014, my Department launched a joint consultation with the Department of the Environment on proposals to introduce a system of developer contributions in Northern Ireland. The consultation period ended on 23 September 2014.

Officials from both Departments are currently in the process of analysing the responses to the consultation and will be presenting their findings to the Social Development Committee and the Environment Committee in November 2014.

My colleague, the Minister for the Environment, and I will consider the most appropriate way forward on the proposals once the Committees have been updated.

Mr Agnew asked the Minister for Social Development (i) for a breakdown of his Department's bids in the forthcoming October monitoring round; (ii) which bids for funding are inescapable or required to meet the Department's statutory obligations; and (iii) whether he will deposit a copy of his Department's bid in the Assembly Library for scrutiny ahead of the Assembly debate.
(AQW 37407/11-15)

Mr Storey: The information requested is set out in the table below. Figures reflect the breakdown of this Departments bids in the forthcoming October monitoring round.

	Classification	**£**
Northern Ireland Co-ownership Housing Association (NICHA)	Capital	£10.0m
Voluntary Early Retirement Scheme (VER)	Resource	£2.2m

The funding for these bids is not inescapable or required to meet the Departments statutory obligations.

The details of the bids have been provided to DFP and the Social Development Committee (25 September) and therefore we are not proposing to deposit a further copy of the Departments bids, in the Assembly Library.

Mr Easton asked the Minister for Social Development why a barascope inspection has not been included in the Stock Condition Survey to be carried out on 20,000 Housing Executive properties.
(AQW 37420/11-15)

Mr Storey: It is not normal practice to include Borescope inspections as standard within large scale Stock Condition Surveys, however on this occasion an option within the tender documentation allows Borescope investigations to be included if required. The extent to which this option will be utilised will be established in due course.

Lord Morrow asked the Minister for Social Development when the proposed new legislation on gambling will be introduced.
(AQW 37433/11-15)

Mr Storey: It is my intention to introduce a Gambling Bill to the Assembly before the summer 2015 recess.

Mr Agnew asked the Minister for Social Development when he will launch the Holywood Masterplan.
(AQW 37449/11-15)

Mr Storey: My Department in partnership with North Down Borough Council are currently making arrangements to launch the Holywood Masterplan in November 2014.

Ms Sugden asked the Minister for Social Development how his Department has increased provision for Community, Economic, Social and Physical renewal through the Neighbourhood Renewal Programme in Limavady in the last three years.
(AQW 37461/11-15)

Mr Storey: My Department has increased provision in Community, Social and Physical renewal through funding the following new projects in the last three years:

- D.R.I.V.E. (Developing Relationships in Vulnerable Environments) Project. This project focuses on Community and Social Renewal and is a structured programme of diversionary activities for 5-13 year olds living in the Limavady Neighbourhood Renewal Area;
- Physical Renewal at Benevenagh Drive, Dunmore Place and Grange Park, Limavady; and
- Physical Renewal of Scroggy Road Playing Fields, Limavady.

Overall, my Department has provided financial assistance of £1.2 million in the period 1 April 2012 to 31 March 2015 for the Limavady Neighbourhood Renewal Area.

Lord Morrow asked the Minister for Social Development what powers his Department or local councils have to prevent betting shops from clustering in socially deprived areas.
(AQW 37477/11-15)

Mr Storey: Licensing of bookmaking offices in Northern Ireland is the responsibility of the courts. Neither my Department nor district councils have statutory powers in this regard; however, any person may object to the grant of a bookmaking office licence under Article 12 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

As indicated in the answer provided to AQW 37095/11-15, a court must be satisfied that the number of bookmaking offices in a locality is inadequate to meet the current demand, before granting a new licence.

Mrs McKevitt asked the Minister for Social Development to outline the timescale for the introduction of a bill on housing regeneration.
(AQO 6898/11-15)

Mr Storey: With the Speaker's permission, I will answer questions 5 & 14 together as they are both referring to the Regeneration and Housing Bill, which is part of the Reform of Local Government.

I am working closely with Executive colleagues to secure their agreement to the introduction of the Bill in the Assembly. I have had a number of discussions with Sinn Fein and have suggested some changes to the Bill to help address their concerns. In particular, I have proposed to remove the transfer of any housing functions from the Bill at this stage.

It is my intention to introduce the Bill at the earliest opportunity, but this is subject to getting Executive approval to do so. I intend seeking that agreement at the Executive meeting on 23 October. It is crucial however that my Department and the new Councils have clarity on this matter as soon as possible so a decision has to be made quickly.

In the event of the Bill not progressing, the powers and functions will not transfer to the Councils, nor will any associated assets or budgets.

Mr Weir asked the Minister for Social Development when the last external cyclical maintenance scheme was carried out by the Housing Executive in North Down.
(AQO 6899/11-15)

Mr Storey: The Housing Executive has advised that the last External Cyclical Maintenance Scheme in North Down was carried out in Bloomfield estate in 2010. These properties had previously had External Cyclical Maintenance works carried out in 2001/02 - a gap of approximately nine years.

There were 157 dwellings included in the scheme and the cost was £447,000. The scheme was confined to external elements of the properties and included:-

- Repairs to roofs and rainwater goods
- Repainting
- Repairs to fencing

- Window replacement where necessary
- Servicing/repairs to windows as required
- External doors replaced where necessary.

Mr Nesbitt asked the Minister for Social Development to detail how much has been paid to Capita since November 2012 following the commencement of the Northern Ireland Personal Independence Payment contract.
(AQO 6900/11-15)

Mr Storey: Contractual payments for services provided by Capita Business Services Ltd will only be made when the service commences and are informed by an exclusively output based financial model.

However, a payment of £1.1m was made to Capita on the 1 August 2014 as compensation for additional costs which they incurred in putting in place the necessary staffing and service delivery infrastructure to ensure the Personal Independence Payment assessment service would be ready for when the legislation was originally planned to come into effect. A continuing delay in the Welfare Reform Bill (NI) 2012 being progressed through the Assembly could mean further compensation payments being necessary although any such payments would be subject to extensive scrutiny before authorisation for any payment would be made.

The potential costs should it become necessary for the contract to be terminated would also be subject to extensive legal and commercial consideration

Ms P Bradley asked the Minister for Social Development for his assessment of the current need for social housing in the Rushpark area of North Belfast.
(AQO 6901/11-15)

Mr Storey: There are currently 153 applicants for social housing whose first preference was Rushpark, of which 89 applicants are deemed to be in housing stress.

In the 12 months to March 2014, there were 25 social housing allocations. In addition Apex Housing Association has completed a scheme which delivered 17 new social housing units.

Unfortunately, land suitable for development within Rushpark is very limited. However, the Housing Executive has a number of existing sites within the adjacent Rathcoole Estate and they are currently examining the potential of these sites in addressing the waiting list demand in Rushpark.

Mr D Bradley asked the Minister for Social Development what are the budgetary implications for the provision of advice services in the next financial year.
(AQO 6902/11-15)

Mr Storey: My Department currently provides funding for frontline advice services, approximately £1.6 million per annum, through its Community Support Programme with local councils providing additional funding, £1.9 million for 2014/15. Each council then commissions advice services for their local area.

My Department also provides funding of approximately £1.2 million per annum to the Northern Ireland Advice Service Consortium (Advice NI, CAB Regional Office and Law Centre NI) to support the voluntary advice network in areas such as IT support and training. This funding is provided through DSD's Regional Infrastructure Support Programme.

The Community Support Programme budget is due to transfer from my Department to local councils under Reform of Local Government in April 2015 when councils will determine arrangements for advice services taking account of their individual Community Plans.

Future funding across all DSD programmes, including the Regional Infrastructure Support Programme, has not yet been determined.

Mr Clarke asked the Minister for Social Development how much has been spent on town regeneration schemes since 2011.
(AQO 6903/11-15)

Mr Storey: The total amount spent on town regeneration schemes throughout Northern Ireland from 2011 totals £55,462,403. This significant investment reflects my Department's commitment to making our town centres an attractive place to invest, live, visit and socialise.

Mr Ó hOisín asked the Minister for Social Development what action his Department has taken to address the problem of work carried out by utility companies, statutory bodies and departments causing damage to areas of urban regeneration.
(AQO 6904/11-15)

Mr Storey: DSD officials work in close cooperation with utility companies, statutory bodies and other departments, providing advance notification of planned programmes of public realm schemes, and engaging at an early stage to ensure coordination of works and future proofing of infrastructure. In this regard, the Northern Ireland Road Authorities and Utilities Committee , currently chaired by the Department for Regional Development provides a forum to promote regional liaison and best practice,

leading to improved co-operation between parties and for discussion of issues of mutual interest. My Department also provides reinstatement guidance to utility companies.

Mr Wilson asked the Minister for Social Development to outline the elements of Welfare Reform that have been introduced by the Assembly since 2007.
(AQO 6905/11-15)

Mr Storey: Since 2007 there have been two welfare reform acts passed by the Assembly. The first in 2007 and the second in 2010.

The Welfare Reform Act (Northern Ireland) 2007:

- made provision for the introduction of employment and support allowance which replaced incapacity benefit and income support on grounds of incapacity. The replacement benefit had a new benefit structure, incorporating both a contributory allowance and an income-related allowance.
- made provision for the introduction of a local housing allowance across the private rented sector and changes to the design and administration of housing benefit
- made provision for the sharing of social security information and functions, for example, to support joint working arrangements. It also included provision in relation to overpayment recovery and benefit fraud and provided for a number of miscellaneous matters relating to benefits.

Key elements of the Welfare Reform Act (Northern Ireland) 2010:

- Work for your benefit - 'Work for your benefit schemes' were piloted in Great Britain for long-term jobseekers who received increasingly intensive support from Jobcentre Plus and specialist back-to-work providers. They gave jobseekers the opportunity to develop their work skills through undertaking full time work-experience.
- Supporting parents with younger children into employment through 'Progression to work' - The Act made provision that, in the long-term, parents with younger children should generally be part of a 'Progression to Work' group, for whom an immediate return to work is not appropriate, but is a genuine possibility with time, encouragement and support. The intention was to establish a personalised conditionality regime tailored to the individual's circumstances, so that preparation for work becomes a natural progression rather than a sudden step up. The Bill included provision ensuring that lone parents and partners of benefit recipients in the "Progression to Work" group were required to undertake action planning and work-related activities. These actions and activities are broadly defined to ensure they are appropriate to the needs and circumstances of each individual.
- Work-related activity for claimants of Employment and Support Allowance - The Act included provision to direct an employment and support allowance claimant to undertake a specific work-related activity in certain circumstances. Earlier legislation required certain employment and support allowance claimants to undertake a work-related activity of their choice.
- Contribution-based Jobseeker's Allowance and contributory Employment and Support Allowance - The Act amended the contribution conditions for both contributory jobseeker's allowance and employment and support allowance.
- Community Care Grants - Earlier law entitled successful applicants for community care grants to be provided with cash to obtain goods or services that the award covers. The Act provided that, at the discretion of the appropriate officer, a payment may instead be made to a third party to provide goods or services.
- Benefit fraud - The Act provided for the loss of benefit following one or more convictions, penalty or caution for benefit fraud.
- Sanctions - The Act made provision for benefit sanctions for jobseeker's allowance claimants who, without good cause, fail to attend mandatory appointments in connection with their claim and for jobseeker's allowance claimants who commit acts of violence or threatening behaviour against staff.
- Miscellaneous provisions - The Act includes provision to remove an adult dependency increase from maternity allowance and from carer's allowance. A further provision extends the mobility component of disability living allowance to certain people with severe visual impairments.

Since 2007 there have been ongoing changes to social security benefits though numerous sets of amending regulations, including:

- Requiring lone parents to move from Income Support to Jobseeker's Allowance or Employment and Support Allowance Revising when their youngest child is aged 7
- Support for Mortgage Interest - limits the support available for those on Jobseeker's Allowance to 2 years and introduced temporary measures to provide Support for Mortgage Interest from the 13th week of entitlement (rather than 39th week). This measure has been extended to 31 March 2016.
- The introduction of the 30th percentile for Local Housing Allowance (Local Housing Allowance), the cap on Housing Benefit and the removal of the facility to keep up to £15 excess between actual rent and the Local Housing Allowance.
- Sure Start Maternity Grant - that the payment would be made in relation to the first child only
- Easement in Jobseeker's Allowance conditionality for those claimants affected by domestic violence
- Introduction of legislation to enable Jobseeker's Allowance claimants to participate in DEL's Steps 2 Success employment programme
- Changes to Habitual residence and definition of person from abroad to discourage benefit tourism

- Increase in waiting days at the start of Jobseeker's Allowance and Employment and Support Allowance claims

Mr Newton asked the Minister for Social Development to outline the potential impact of not progressing the bill on housing regeneration.
(AQO 6907/11-15)

Mr Storey: With the Speaker's permission, I will answer questions 5 & 14 together as they are both referring to the Regeneration and Housing Bill, which is part of the Reform of Local Government.

I am working closely with Executive colleagues to secure their agreement to the introduction of the Bill in the Assembly. I have had a number of discussions with Sinn Fein and have suggested some changes to the Bill to help address their concerns. In particular, I have proposed to remove the transfer of any housing functions from the Bill at this stage.

It is my intention to introduce the Bill at the earliest opportunity, but this is subject to getting Executive approval to do so. I intend seeking that agreement at the Executive meeting on 23 October. It is crucial however that my Department and the new Councils have clarity on this matter as soon as possible so a decision has to be made quickly.

In the event of the Bill not progressing, the powers and functions will not transfer to the Councils, nor will any associated assets or budgets.

Mr I McCrea asked the Minister for Social Development for an update on the Cookstown Town Centre Masterplan.
(AQO 6908/11-15)

Mr Storey: The Cookstown Masterplan was launched in May 2012. This document sets out a vision for the future development of the town centre in the short, medium and long term. The plan sets out regeneration objectives and actions, their priority and the potential delivery partners for each action. My Department in conjunction with Cookstown District Council has been focussing resources on the development and delivery of a number of short term (0 – 5 years) high priority actions, these include:

a. a number of revitalisation actions including shop front improvements, promotion and marketing: and

b. the Cookstown Public Realm scheme which is currently at the detailed design stage with planning permission imminent.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission what requests have been (i) made, and by whom; and (ii) granted, and to whom, in respect of the use of rooms in Parliament Buildings in connection with the upcoming political talks.
(AQW 37399/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): " To ask the Assembly Commission what requests have been (i) made, and by whom; and (ii) granted, and to whom, in respect of the use of rooms in Parliament Buildings in connection with the upcoming political talks."

AQW 37399/11-15

I can confirm that an initial request was made by the Northern Ireland Office (NIO) to explore the possibility of using Parliament Buildings as the venue for cross-party talks to be convened by the Secretary of State.

Consideration was given to the request but the NIO subsequently decided not to proceed with Parliament Buildings as the venue for the talks.

Mr Flanagan asked the Assembly Commission to detail the cost of calls to directory enquiries from land line telephones, in each of the last five financial years.
(AQW 37454/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): The Assembly Commission utilises the Northern Ireland Civil Service (NICS) telephone system and consequently the information that you require is not currently held by us.

The Department Of Finance and Personnel will be responding to the question for all sites covered by the IT Assist telephone system and I have asked them to ensure that their response includes the costs relating to Parliament Buildings.

Mr Flanagan asked the Assembly Commission to detail the cost of calls to the Speaking Clock from land line telephones, in each of the last five financial years.
(AQW 37456/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): The Assembly Commission utilises the Northern Ireland Civil Service (NICS) telephone system and consequently the information that you require is not currently held by us.

The Department Of Finance and Personnel will be responding to the question for all sites covered by the IT Assist telephone system and I have asked them to ensure that their response includes the costs relating to Parliament Buildings.

Mr Allister asked the Assembly Commission to detail (i) what categories of permanent pass exist in respect of access to Parliament Buildings, including the criteria applicable to each; and (ii) whether any lobbyists have been issued with passes; and if so, to identify them.
(AQW 37557/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): "To ask the Assembly Commission to detail (i) what categories of permanent pass exist in respect of access to Parliament Buildings, including the criteria applicable to each; and (ii) whether any lobbyists have been issued with passes; and if so, to identify them."

Permanent passes are presently issued to the following categories of building users:

- Members - one Member pass (with escort rights); one Researcher pass (with escort rights); and one partner pass (without escort rights). These passes are allocated to whomever the Member nominates.
- Secretariat Staff & Agency staff –issued on receipt of Access NI clearance and following approval from Head of HR (with escort rights).
- Party support staff - Party whips may request issue of passes against their Party allocation which is based on the number of elected Members (with escort rights).
- Permanent Media – (i) Assembly correspondents - (with escort rights and full access to the building), and (ii) Regular media - (no escort rights and access is limited to basement and ground floor public areas) - these passes are issued following approval by the Head of Communications.
- Civil Servants who work from an office within Parliament Buildings - applications are made through OFMDFM Assembly Section and passes are issued by Usher Services (with escort rights).
- Senior Civil Servants of Grade (3) level and above, who access Parliament Buildings on a regular basis - applications are made through OFM/DFM Assembly Section, and passes are issued by Usher Services following approval (with escort rights).
- Personal Secretaries and Special Advisors to Ministers - applications are made through OFM/DFM Assembly Section and issued by Usher Services. (with escort rights).
- Departmental Assembly Liaison Officers - applications are made through OFM/DFM Assembly Section and issued by Usher Services.
- Comptroller and Auditor General - approval sought from Clerk/Chief Executive's office (with escort rights).
- Parliamentary Ombudsman and deputy - approval sought from Clerk/Chief Executive's office (with escort rights).
- British Irish Secretariat staff - approval sought from Speakers office and Clerk/Chief Executive's (with escort rights).
- US Consulate staff - approval sought from Speakers office (no escort rights).
- Bursary students - (no escort rights)

I can also confirm that lobbyists do not form a specific category of Assembly pass holder and therefore none have been issued.

Mr Allister asked the Assembly Commission how any MLAs' relatives, beyond those mentioned in Register of Members' Interests, have passes for Parliament Buildings.
(AQW 37848/11-15)

Mr P Ramsey (The Representative of the Assembly Commission): To ask the Assembly Commission how any MLAs' relatives, beyond those mentioned in Register of Members' Interests, have passes for Parliament Buildings.

I can confirm that each Member is entitled to the issue of permanent Assembly passes on the following basis:

- Member
- Partner
- Member's staff
- Researcher

These passes are normally issued by the Usher Services office at the commencement of each mandate, although changes can subsequently be facilitated at the request of Members at any time.

Party staff are also issued with permanent Assembly passes, according to the size of each Party.

The Usher Services office does not enquire into whether any individual pass holder is a relative of a Member.

Revised Written Answers

This section contains the revised written answers to questions tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Northern Ireland Assembly

Revised Written Answers

Department of Culture, Arts and Leisure

In Bound Volume 97, page WA 533 please replace AQW 35965/11-15 with:

Waterways Ireland

Mr B McCrea asked the Minister of Culture, Arts and Leisure to detail the Department's total expenditure to Waterways Ireland in (i) 2012; (ii) 2013; and (iii) 2014 to date.
(AQW 35965/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): As part of the funding arrangements for Waterways Ireland as a North South Implementation Body, my Department has provided the following funding:

Year	Amount
2012	£3,442,099
2013	£3,212,535
2014	£1,416,558

Department of Education

In this Bound Volume, page WA 29 please replace AQW 36056/11-15 with:

Capital Repair Works and New School Buildings

Mr Campbell asked the Minister of Education how many (i) primary; and (ii) post-primary schools in East Londonderry currently require (a) major capital repair works; and (ii) completely new school buildings.
(AQW 36056/11-15)

Mr O'Dowd (The Minister of Education): Prior to my major capital investment announcement of 24 June 2014, my Department considered proposals submitted by Education & Library Boards and other school authorities on potential new build projects for schools in their areas that required major capital works. A total of nine schools in the East Derry constituency were submitted for consideration by the Western Education & Library Board (WELB) and the North Eastern Education and Library Board. The breakdown across each Board area by Primary and post Primary school is as follows:

Western Education and Library Board (WELB)

(i) **Primary Schools** (PS)

- Ballykelly PS
- Roe Valley Integrated PS, Limavady
- Listress PS, Derry

(ii) WELB did not submit any Post Primary schools in the East Derry constituency.

North Eastern Education & Library Board (NEELB)

(i) **Primary Schools** (PS)

- Millstrand Integrated PS, Portrush

(ii) **Post Primary Schools**

- St Paul's College, Coleraine
- North Coast Integrated College, Coleraine
- Coleraine Academical Institution

- Loreto College, Coleraine
- Dominican College, Portstewart

When the approved protocol for selection of 2014 new builds was applied in June, Roe Valley IPS was announced to be advanced in planning for a new school build.

The remaining schools put forward were not included in my announcement at that time due to area planning/sustainability issues and/or budget constraints.

Subsequent to my June announcement, on 18 August 2014 I approved the amalgamation of Listress PS, Craigback PS and Mullaghbuoy PS and a new build will proceed in due course.

Regarding other major works I can confirm that Coleraine Academical Institution has been approved under the School Enhancement Programme for partial refurbishment consisting of rewiring, refurbishment of heating distribution, Mechanical and Electrical Services and a building fabric upgrade. Planning for an extensive programme of minor works is also underway at Coleraine Academical Institution.

The selection of new major works has, in the main, been on the basis of effecting rationalisation; supporting unmet need; addressing serious accommodation inadequacies and schools operating on split sites, substandard conditions or overcrowding; or addressing undue reliance on temporary accommodation.

The reality is that the budget settlement for Education means the need for investment far exceeds the funds available to me and many schools in need of investment are competing for limited capital funding.

Department for Social Development

In this Bound Volume, page WA 376 please replace AQW 36869/11-15 with:

Department's Information Service

Mr Allister asked the Minister for Social Development to detail the current (i) number; and (ii) annual cost of staff employed in his Department's Information Service.
(AQW 36869/11-15)

Mr Storey (The Minister for Social Development): There are currently seven members of staff from the Executive Information Service employed by the Department for Social Development. An additional two members of NICS staff provide administrative support to the Press Office.

Based on September 2014 figures, the annual cost of these staff would be £329,989.

The Press Office provides a range of communication services for the core Department, the Social Security Agency and the Child Maintenance Services.

These services include:

- Organising and attending departmental announcements across the wide remit of DSD business areas,
- Providing communications advice to Ministers on departmental issues,
- Developing strategic communication for departmental issues,
- Supporting the development of advertising campaigns through liaison with the Government Advertising Unit,
- Providing public facing information for publication through NI Direct,
- Responding to media queries / bids,
- Organising media briefings,
- Liaising with other Government Departments to facilitate joint communications and;
- Media monitoring.

Department of the Environment

In this Bound Volume, page WA 426 please replace AQW 37045/11-15 with:

Challenge Fund

Mr McKay asked the Minister of the Environment how many groups have applied to the Challenge Fund in the current financial year, broken down by constituency.
(AQW 37045/11-15)

Mr Durkan (The Minister of the Environment): Ahe number of groups who have applied to the 2014/15 Challenge Fund to conduct projects in each of the 18 Parliamentary constituencies is set out in Appendix 1.

We have experienced an unprecedented level of interest in the 2014/15 Challenge Fund, with over £9 million having been requested. I look forward to again seeing the positive environmental and community outcomes this support enables.

Appendix 1

Constituency	Number of Groups who have applied for projects in that constituency
Belfast East	15
Belfast North	15
Belfast South	24
Belfast West	12
East Antrim	13
East Londonderry	27
Fermanagh and South Tyrone	31
Foyle	24
Lagan Valley	9
Mid Ulster	24
Newry and Armagh	15
North Antrim	25
North Down	17
South Antrim	7
South Down	27
Strangford	12
Upper Bann	8
West Tyrone	26

It should be noted that some groups have lodged multiple applications, and in many cases these are in different constituencies. Furthermore, 16 groups have applied for projects which cover an area that falls into more than one constituency.

Department of Finance and Personnel

In Bound Volume 80, page WA 68 please replace AQW 16835/11-15 with:

Peace III

Mr Swann asked the Minister of Finance and Personnel to detail, for Peace III Priority 1 Sub Priority 1.1 Regional Projects, the (i) amount of grant awarded; (ii) date of the award; (iii) end date of the project as per the letter of offer; and (iv) amount of claimed but disallowed exenditure, for aeach group that received grants under the (a) Conflict Transformation from the bottom up; and (b) From Prison to peace project titles.
(AQW 16835/11-15)

Mr Wilson (The Minister of Finance and Personnel): Table 1 attached details the grant awarded, date of award, project end date, and the amounts claimed, disallowed and paid, in respect of each group that received grants under Phase I of the Conflict Transformation from the Bottom Up PEACE III project. Table 2 details the same information in respect of the From Prison to Peace project. The Community Foundation for Northern Ireland is the lead partner for both projects.

Second phases of funding for both projects has been approved by the PEACE III Steering Committee, however, Letters of Offer have not yet issued.

An exchange rate of £1 = €1.25 has been used where required.

Table 1 – Conflict Transformation from the Bottom Up

Project Partner	Grant Awarded	Award Date	End Date of Project	Claimed	Disallowed Expenditure	Paid
Committee - (Coiste)	£1,420,734	01/09/2008	30/04/2012	£1,420,410	-	£1,420,410
Come In - (Tar Isteach)	£871,479	01/09/2008	30/04/2012	£871,479	-	£871,479
Come Over - (Tar Anall)	£399,121	01/09/2008	30/04/2012	£402,902	£3,781	£399,121
Come Home - (Tar Abhaile)	£341,845	01/09/2008	30/04/2012	£341,844	-	£341,844
South Armagh Ex-Prisoners (Iar Chimi Ard Mhaca Theas)	£293,236	01/09/2008	30/04/2012	£293,236	£1,656	£291,580
South Derry Ex-Prisoners (Iar Chimi Doire Theas)	£145,591	01/09/2008	30/04/2012	£145,102	-	£145,102
The Rising of the Sun (Éiri na Gréine)	£3,628	01/09/2008	30/04/2012	£3,628	-	£3,628
Friends - (Cairde)	£162,519	01/09/2008	30/04/2012	£162,519	-	£162,519
A New Beginning (Tús Nua)	£325,870	£39,692	31/07/2012	£325,858	-	£325,858
Welcome Home (Fáilte Abhaile)	£837,243	£39,692	31/07/2012	£838,122	£1,703	£836,419
Home Again - (Abhaile Arís)	£768,671	£39,692	31/07/2012	£768,500	-	£768,500
Welcome Clones (Fáilte Cluain Eois)	£527,459	£39,692	31/07/2012	£524,538	-	£524,538
A New Day - (La Nua)	£454,843	£39,692	31/07/2012	£454,543	-	£454,543

Table 2 – From Prison to Peace

Lead Partner	Grant Awarded	Award Date	End Date of Project	Claimed	Disallowed Expenditure	Paid
Community Foundation NI	£3,073,458	22/12/2008	31/07/2012	£3,033,209	£22,046	£3,011,163

Department of Finance and Personnel

In Bound Volume 90, page WA 450 please replace AQW 28864/11-15 with:

Disposable Income of Households

Mr Flanagan asked the Minister of Finance and Personnel to detail, for the most recent consecutive five years for which data is available, (i) the average disposable income per head; (ii) comparable figures for British regions; and (iii) comparable figures for regions in the south of Ireland.
(AQW 28864/11-15)

Mr Hamilton (The Minister of Finance and Personnel): Comparable data in the form of Disposable Income of Households presented as Purchasing Power Standards based on final consumption per inhabitant is produced by Eurostat and is presented in Table 1. This information is only available up to 2010 and takes account of the differences in the cost of living between countries.

Table 1: Disposable Income of Households by NUTS 2 regions 2006-2011 (Eurostat)

Purchasing power standards based on final consumption per inhabitant	2006	2007	2008	2009	2010
United Kingdom	17,415	17,252	17,078	16,649	17,190
North East (UK)	14,783	14,424	14,346	14,169	14,592
North West (UK)	15,664	15,429	15,361	15,009	15,532
Yorkshire and The Humber	15,537	15,177	14,967	14,413	14,853
East Midlands (UK)	16,099	15,864	15,625	15,126	15,602
West Midlands (UK)	15,650	15,345	15,141	14,841	15,370
East of England	18,425	18,091	17,840	17,465	17,825
London	21,834	22,173	21,981	21,488	22,090
South East (UK)	19,785	19,470	19,157	18,629	19,329
South West (UK)	17,443	16,988	16,863	16,585	17,108
Wales	15,284	15,112	14,987	14,535	15,125
Scotland	16,398	16,563	16,612	16,189	16,827
Northern Ireland	15,374	15,879	15,479	14,535	14,950
Éire/Ireland	14,193	14,965	15,158	14,680	14,845
Border, Midland and Western	12,644	13,395	13,667	13,493	13,711
Southern and Eastern	14,758	15,538	15,704	15,117	15,265

Source: Eurostat

Department of Finance and Personnel

In Bound Volume 97, page WA 44 please replace AQW 34610/11-15 with:

Youth Hostels

Mr Agnew asked the Minister of Finance and Personnel how many visitors have stayed in youth hostels in each of the last three years, broken down by visitors from within and from outside of Northern Ireland.
(AQW 34610/11-15)

Mr Hamilton (The Minister of Finance and Personnel): NISRA does not hold any data on the number of visitors from outside Northern Ireland who stayed in youth hostels in Northern Ireland. However, the estimated number of overnight trips taken by Northern Ireland residents in hostels is available from the Continuous Household Survey. Due to small sample sizes, figures in the attached table are subject to large confidence intervals.

The estimated number of overnight trips taken by Northern Ireland (NI) residents within NI in hostels over the last three years is detailed in the attached table.

Overnight trips by Residents in NI Hostels (2011-2013)

	Overnight Trips
2011	38,000
2012	24,000
2013	51,000

Source: Continuous Household Survey, 2013 Data is rounded to the nearest thousand

Journal of Proceedings

Minutes of Proceedings

Northern Ireland Assembly

Monday 6 October 2014

The Assembly met at noon, the Principal Deputy Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 The late Mr George Savage

The Principal Deputy Speaker announced the death of Mr George Savage, a former Member for the Upper Bann constituency.

Members paid tribute to Mr Savage.

2.2 Retirement of the Speaker, Mr William Hay MLA

The Principal Deputy Speaker announced that he had received correspondence from the Speaker giving notice that he intends to resign as a Member of the Assembly and therefore as Speaker with effect from noon on Monday 13 October 2014.

3. Assembly Business

3.1 Motion – Committee Membership

Proposed:

That Mr Edwin Poots be appointed to the Committee for Agriculture and Rural Development; that Mr Sydney Anderson replace Miss Michelle McIlveen as a member of the Committee for Agriculture and Rural Development; that Mr William Humphrey replace Mr Sammy Douglas as a member of the Committee for Enterprise, Trade and Investment; that Mr Nelson McCausland replace Mr Stephen Moutray as a member of the Committee for Education; that Mr William Irwin replace Mr Sammy Douglas as a member of the Committee for Employment and Learning; that Mr Stephen Moutray replace Mrs Brenda Hale as a member of the Committee for Regional Development; that Mr David McIlveen replace Mr George Robinson as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr George Robinson replace Mr David McIlveen as a member of the Committee for Health, Social Services and Public Safety; that Mr Edwin Poots, Mr Sammy Douglas and Mr Paul Frew replace Mr William Humphrey, Mr Sydney Anderson, and Mr Jim Wells as members of the Committee for Justice; that Mr Sammy Douglas replace Mr Trevor Clarke as a member of the Committee for Social Development; and that Mr David Hilditch and Mr Robin Newton replace Ms Paula Bradley and Mr Mervyn Storey as members of the Committee on Standards and Privileges with effect from Monday 6 October 2014.

Mr P Weir
Lord Morrow

The Question being put, the Motion was **carried** without division.

3.2 Motion – Committee Membership

Proposed:

That Ms Rosaleen McCorley be appointed as a member of the Committee for Health, Social Services and Public Safety; that Mr Chris Hazzard replace Ms Rosaleen McCorley as a member of the Committee for Justice; that Mr Phil Flanagan replace Mr Chris Hazzard as a member of the Public Accounts Committee; that Mr Chris Hazzard replace

Mr Mitchel McLaughlin as a member of the Committee for Enterprise, Trade and Investment; and that Mr Raymond McCartney replace Mr Mitchel McLaughlin as a member of the Committee for Finance and Personnel.

Ms C Ruane

The Question being put, the Motion was **carried** without division.

3.3 Motion – Committee Membership

Proposed:

That Mr Roy Beggs replace Mr Leslie Cree as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Leslie Cree replace Mr Michael McGimpsey as a member of the Committee for Culture, Arts and Leisure; that Mr Michael McGimpsey replace Mr Roy Beggs as a member of the Committee for Health, Social Services and Public Safety; and that Mr Roy Beggs replace Mr Michael Copeland as a member of the Public Accounts Committee.

Mr R Swann

The Question being put, the Motion was **carried** without division.

4. Executive Committee Business

4.1 First Stage – Education Bill (NIA 38/11-16)

The Minister of Education, Mr John O'Dowd, introduced a Bill to provide for the establishment and functions of the Education Authority; and for connected purposes.

The Education Bill (NIA 38/11-16) passed First Stage and ordered to be printed.

5. Private Members' Business

5.1 Motion – National Crime Agency

Proposed:

That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs; notes police assessments of over 140 such gangs operating in Northern Ireland; and calls for the implementation, in full, of the National Crime Agency to help deal with this problem which is particularly prevalent in border areas.

Mr G Campbell
Mr W Irwin

5.2 Amendment 1

Proposed:

Leave out all after 'calls for' and insert:

'statutory provision to be made so that all members of the National Crime Agency on operational duty locally are subject to the same accountability mechanisms and bodies that govern the work of the PSNI and its officers.'

Mr R McCartney
Mr S Lynch
Ms R McCorley
Mr G Kelly

Debate ensued.

The debate was suspended for Question Time.

The Deputy Speaker (Mr Beggs) took the Chair.

6. Question Time

6.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister Mr Martin McGuinness. The junior Minister, Ms McCann, also answered a number of questions.

6.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

The Deputy Speaker (Mr Dallat) took the Chair.

7. Private Members' Business (Cont'd)

7.1 Motion – National Crime Agency (Cont'd)

Debate resumed.

The Question being put, the Amendment **fell** (Division 1).

The Question being put, the Motion was **carried** (Division 2).

7.2 Motion – Deep Geothermal Energy

Proposed:

That this Assembly notes the potential that deep geothermal energy has to meet the heating and electricity needs of thousands of households; recognises the potential it has to reduce our reliance on fossil fuels; and calls on the Minister of Enterprise, Trade and Investment to ensure that appropriate legislation and incentives are in place to support the development of this industry.

Mr P Flanagan
Ms M Fearon
Mr C Hazzard

Debate ensued.

The Question being put, the Motion was **carried** *without division.*

8. Adjournment

Proposed:

That the Assembly do now adjourn.

Principal Deputy Speaker

The Assembly adjourned at 5.23pm.

Mr Mitchel McLaughlin MLA
Principal Deputy Speaker

6 October 2014

Northern Ireland Assembly

06 October 2014
Division 1

Motion – National Crime Agency – Amendment

Proposed:

Leave out all after 'calls for' and insert:

'statutory provision to be made so that all members of the National Crime Agency on operational duty locally are subject to the same accountability mechanisms and bodies that govern the work of the PSNI and its officers.'

Mr R McCartney
Mr S Lynch
Ms R McCorley
Mr G Kelly

The Question was put and the Assembly divided.

Ayes: 37
Noes: 53

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, 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 M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr G Kelly and Mr McCartney.

NOES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

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

The Amendment **fell**.

Northern Ireland Assembly

06 October 2014
Division 2

Motion – National Crime Agency

Proposed:

That this Assembly condemns the increasing number of illegal activities being carried out by organised criminal gangs; notes police assessments of over 140 such gangs operating in Northern Ireland; and calls for the implementation, in full, of the National Crime Agency to help deal with this problem which is particularly prevalent in border areas.

Mr G Campbell
Mr W Irwin

The Question was put and the Assembly divided.

Ayes: 54
Noes: 36

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

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

NOES

Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, 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 M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr McCartney.

The Motion was **carried**.

Northern Ireland Assembly

Papers Presented to the Assembly on 01 October – 06 October 2014

1. Acts of the Northern Ireland Assembly

2. Bills of the Northern Ireland Assembly

Education Bill NIA 38/11-16 (DE).

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Northern Ireland Judicial Appointments Commission (NIJAC) Annual Report and Accounts 2013/14 (OFMDFM).

Northern Ireland Blood Transfusion Service Trust Fund Accounts for the year ending 31 March 2014 (DHSSPS).

Northern Ireland Assembly Resource Accounts for the year ending 31 March 2014.

5. Assembly Reports

6. Statutory Rules

S.R. 2014/239 The Taxi Drivers' Licences Regulations (Northern Ireland) 2014 (DOE).

S.R. 2014/253 The Waste Management Licensing (Amendment No. 2) Regulations (Northern Ireland) 2014 (DOE).

For Information Only

S.R. 2014/240 The Parking Places on Roads (Electric Vehicles) (Amendment No. 3) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/241 The Parking and Waiting Restrictions (Ballymoney) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/242 The One-Way Traffic (Belfast) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/243 The Control of Traffic (Belfast City Centre) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/244 The Waiting Restrictions (Dungannon) (Amendment No.2) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/245 The Parking and Waiting Restrictions (Omagh) (Amendment No.2) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/246 The Parking Places (Disabled Persons' Vehicles) (Amendment No.5) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/247 The One-Way Traffic (Banbridge) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/248 The Parking and Waiting Restrictions (Magherafelt) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/250 The Waiting Restrictions (Cookstown) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/251 The Waiting Restrictions (Belfast City Centre) (Amendment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/252 The Waiting Restrictions (Craigavon) Order (Northern Ireland) 2014 (DRD).

7. Written Ministerial Statements

8. Consultation Documents

Consultation on a Proposal to Remove the Ban on the Sale of HIV Self-Testing Kits to the Public in Northern Ireland (DHSSPS).

Revised Framework for Respiratory Health and Wellbeing Consultation (DHSSPS).

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Monday 6 October 2014

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

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

The Deputy Speaker informed Members that the Speaker's Office had received a letter from Ms Sue Ramsey resigning as a Member of the Assembly with effect from Monday 03 November 2014. The Deputy Speaker advised that the Speaker's Office had notified the Chief Electoral Officer, in accordance with Section 35 of the Northern Ireland Act 1998.

3. Executive Committee Business

3.1 Statement – North South Ministerial Council Plenary meeting

The deputy First Minister, Mr Martin McGuinness, made a statement regarding the North South Ministerial Council Plenary meeting, held on 3 October 2014, following which he replied to questions.

3.2 First Stage – Insolvency (Amendment) Bill (NIA 39/11-16)

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, introduced a Bill to amend the law relating to insolvency; and for connected purposes.

The Insolvency (Amendment) Bill (NIA 39/11-16) passed First Stage and ordered to be printed.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

4. Private Members' Business

4.1 Motion – Roads Maintenance

Proposed:

That this Assembly notes with concern the failure of the Department for Regional Development to adequately fund the roads infrastructure maintenance budget; further notes that this lack of funding will result in job losses or reduced working hours for contractors and suppliers; calls on the Minister for Regional Development to assess forensically his departmental budgets to highlight areas of non-essential spending where savings can be made; and further calls on the Minister for Regional Development to work with his Executive colleagues to institute a comprehensive annual budget process which provides a more transparent breakdown of the allocation of resources.

Mr J Dallat
Mr J Byrne
Mr P McGlone

Debate ensued.

The Question being put, the Motion was **carried** without division.

The sitting was suspended at 12.31pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.

5. Question Time

5.1 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

5.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

6. Private Members' Business (Cont'd)

6.1 Motion – Funding Crisis in Victims and Survivors Service

Proposed:

That this Assembly notes the current funding crisis being faced by the Victims and Survivors Service; recognises the grave concern that this is causing for many victims, survivors and support groups, leading to some of them having to close, and the genuine hardships being faced by many victims as a result; and calls on the Office of the First Minister and deputy First Minister to take urgent action to alleviate this situation.

Mr M Nesbitt
Mr L Cree

The Deputy Speaker (Mr Beggs) took the Chair.

Debate ensued.

The Question being put, the Motion was **carried** without division.

The Deputy Speaker (Mr Dallat) took the Chair.

7. Adjournment

Mr Seán Rogers spoke to his topic regarding jobs in South Down.

Proposed:

That the Assembly do now adjourn.

Principal Deputy Speaker

The Assembly adjourned at 5.49pm

Mr Mitchel McLaughlin MLA
Principal Deputy Speaker

7 October 2014

Northern Ireland Assembly

Papers Presented to the Assembly on 7 October 2014

1. Acts of the Northern Ireland Assembly

2. Bills of the Northern Ireland Assembly

Insolvency (Amendment) Bill NIA 39/11-16 (DETI).

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

5. Assembly Reports

6. Statutory Rules

S. R. 2014/249 The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2014 (DOE).

S. R. 2014/XXX The Justice (Northern Ireland) Act 2002 (Amendment of section 46(1)) Order (Northern Ireland) 2014 (DOJ)

For Information Only

S.R. 2014/238 The Taxis (2008 Act) (Commencement No. 3) Order (Northern Ireland) 2014 (DOE)

S. R. 2014/254 The Road Races (Down Rally) Order (Northern Ireland) 2014 (DRD)

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 8 October 2014

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	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		
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14					
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							
Insolvency (Amendment) Bill 39/11-16	07.10.14							

2011-2015 Mandate
Non-Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 6 October 2014

The Assembly met at noon, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

2.1 Motion – Suspension of Standing Order 20(1)

Proposed:

That Standing Order 20(1) be suspended for 13 October 2014.

Mr P Weir
Ms C Ruane

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

2.2 Motion – All-Party Motion of thanks to the Speaker

Proposed:

That this Assembly records its appreciation of the great distinction with which Mr William Hay has occupied the office of Speaker; congratulates him on the skilful manner in which he has upheld the dignity of this House; appreciates the wisdom, good humour and patience with which he has presided over its affairs; and expresses its warmest thanks to Mr Hay for his many services to this House; and unites in wishing him a long and happy retirement from the House.

Mr P Robinson
Mr M McGuinness
Dr A McDonnell
Mr M Nesbitt
Mr D Ford

Debate ensued.

The Question being put, the Motion was **carried** without division.

2.3 Election of Speaker

The Acting Speaker (Mr Gardiner) took the Chair.

The Acting Speaker outlined the procedure for the election of a Speaker under Standing Order 4.

Mr Martin McGuinness nominated Mr Mitchel McLaughlin as a candidate for the Office of Speaker of the Assembly and Ms Caitríona Ruane seconded the nomination. Mr McLaughlin indicated his agreement to accept the nomination. Dr Alasdair McDonnell nominated Mr John Dallat as a candidate for the Office of Speaker of the Assembly and Mr Pat Ramsey seconded the nomination. Mr Dallat indicated his agreement to accept the nomination. Mr Mike Nesbitt nominated Mr Roy Beggs as a candidate for the Office of Speaker of the Assembly and Mr Danny Kennedy seconded the nomination. Mr Beggs indicated his agreement to accept the nomination.

Debate ensued.

The Question being put, that Mr Mitchel McLaughlin be Speaker of the Assembly, the Motion was **negatived** on a cross-community vote (Division 1).

The Question being put, that Mr John Dallat be Speaker of the Assembly, the Motion was **negatived** on a cross-community vote (Division 2).

The Question being put, that Mr Roy Beggs be Speaker of the Assembly, the Motion was **negatived** on a cross-community vote (Division 3).

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

3. Question Time

3.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

3.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H. Durkan.

4. Question for Urgent Oral Answer

4.1 Proposed Closure of JTI Gallaher

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, responded to a Question for Urgent Oral Answer tabled by Mr David McIlveen.

5. Assembly Business (cont'd)

5.1 Motion – Extension of Sitting on Monday 13 October 2014

Proposed:

That, in accordance with Standing Order 10(3A), the sitting on Monday 13th of October 2014 be extended to no later than 10.00pm.

Ms C Ruane

The Question being put, the Motion was **carried**.

The Deputy Speaker (Mr Dallat) took the Chair.

5.2 Motion – Committee Membership

Proposed:

That Mr Michael Copeland replace Mr Roy Beggs as a member of the Committee for the Office of the First Minister and deputy First Minister.

Mr R Swann

The Question being put, the Motion was **carried**.

6. Executive Committee Business

6.1 Statement – October Monitoring - Resource Allocations

The Minister of Finance and Personnel, Mr Simon Hamilton, made a statement regarding October Monitoring Resource Allocations, following which he replied to questions.

6.2 First Stage – Off-street Parking (Functions of District Councils) Bill (NIA 40/11-16)

The Minister for Regional Development, Mr Danny Kennedy, introduced a Bill to Transfer to district councils certain functions in relation to off-street parking places; and for connected purposes.

The Off-street Parking (Functions of District Councils) (NIA 40/11-16) passed First Stage and ordered to be printed.

6.3 Final Stage – Legal Aid and Coroners' Courts Bill (NIA 33/11-15)

The Minister of Justice, Mr David Ford, moved that the Final Stage of the Legal Aid and Coroners' Courts Bill (NIA 33/11-15) do now pass.

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Legal Aid and Coroners' Courts Bill (NIA 33/11-15) passed Final Stage.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

7. Committee Business

Motion – Review of Supported Living for Older People.

Proposed:

That this Assembly welcomes the Committee for Health, Social Services and Public Safety's review of supported living for older people in the context of Transforming Your Care.

Chairperson, Committee for Health, Social Services and Public Safety

Debate ensued.

The Question being put, the Motion was **carried**.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Principal Deputy Speaker

The Assembly adjourned at 7.06pm.

Mr Mitchel McLaughlin MLA
Principal Deputy Speaker

13 October 2014

Northern Ireland Assembly

13 October 2014
Division 1

Election of Speaker

Proposed:

That Mr Mitchel McLaughlin be Speaker of this Assembly

Mr M McGuinness
Ms C Ruane

The Question was put and the Assembly divided.

Ayes: 47
Noes: 12

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F 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 A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Mrs Cochrane, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Boylan and Mr McKay.

NOES

Unionist

Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Tellers for the Noes: Mrs Overend and Mr Swann.

Total votes	59	Total Ayes	47	[79.7%]
Nationalist Vote	38	Nationalist Ayes	38	[100%]
Unionist Votes	13	Unionist Ayes	1	[7.7%]
Other Votes	8	Other Ayes	8	[100%]

The Motion was **negatived** on a cross-community vote.

Northern Ireland Assembly

13 October 2014
Division 2

Election of Speaker

Proposed:

That Mr John Dallat be Speaker of this Assembly.

Dr A McDonnell
Mr P Ramsey

The Question was put and the Assembly divided.

Ayes: 27
Noes: 30

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Mrs D Kelly, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr P Ramsey, Mr Rogers.

Unionist

Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Ayes: Mr Eastwood and Mr McKinney.

NOES

Nationalist

Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Other

Mrs Cochrane, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Boylan and Mr McKay.

Total votes	57	Total Ayes	27	[47.4%]
Nationalist Vote	38	Nationalist Ayes	14	[36.8%]
Unionist Votes	12	Unionist Ayes	12	[100%]
Other Votes	7	Other Ayes	1	[14.3%]

The Motion was **negatived** on a cross-community vote.

Northern Ireland Assembly

13 October 2014
Division 3

Election of Speaker

Proposed:

That Mr Roy Beggs be Speaker of this Assembly.

Mr M Nesbitt
Mr D Kennedy

The Question was put and the Assembly divided.

Ayes: 14
Noes: 30

AYES

Unionist

Mr Allister, Mr Beggs, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Ayes: Mrs Overend and Mr Swann.

NOES

Nationalist

Mr Boylan, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Other

Mrs Cochrane, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Boylan and Mr McKay.

Total votes	44	Total Ayes	14	[31.8%]
Nationalist Vote	24	Nationalist Ayes	0	[0.0%]
Unionist Votes	13	Unionist Ayes	13	[100%]
Other Votes	7	Other Ayes	1	[14.3%]

The Motion was **negatived** on a cross-community vote.

Northern Ireland Assembly

Papers Presented to the Assembly on 08 - 13 October 2014

1. Acts of the Northern Ireland Assembly

2. Bills of the Northern Ireland Assembly

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Human Rights Guidance for the Northern Ireland Courts and Tribunals Service Support for Victims and Witnesses (DOJ).

InterTradeIreland Annual Review of Activities and Annual Accounts 2013 (DETI).

Patient and Client Council Annual Report and Accounts for the year ended 2014 (PCC).

5. Assembly Reports

Report on the Work and Families Bill (NIA 34/11-15) (NIA 198/11-16) (Committee for Employment and Learning).

Flexible Working in the Public Sector in Northern Ireland (NIA 200/11-15) (Committee for Finance and Personnel).

6. Statutory Rules

S.R. 2014/257 The A4 Sligo Road, Belcoo (Abandonment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/258 The Drumalla Park, Carnlough (Abandonment) Order (Northern Ireland) 2014 (DRD).

For Information Only

S.R. 2014/255 The Prohibition of Traffic (Giant's Causeway Road) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/256 The Waiting Restrictions (Lurgan) (No. 2) Order (Amendment) Order (Northern Ireland) 2014 (DRD).

7. Written Ministerial Statements

8. Consultation Documents

Consultation on the Animal By-Products (Enforcement) Regulations (NI) 2015 (DARD).

9. Departmental Publications

Department for Social Development Business Plan 2014-15 (DSD).

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 14 October 2014

The Assembly met at 10.30am, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

The Principal Deputy Speaker announced that he and the Deputy Speakers had agreed the allocation of Speaker's functions for the current week in accordance with Standing Order 4(7).

3. Executive Committee Business

3.1 Statement – Outcome of October Monitoring Round and Paediatric Congenital Cardiac Services

The Minister of Health, Social Services and Public Safety, Mr Jim Wells, made a statement regarding the outcome of the October Monitoring Round and paediatric congenital cardiac services, following which he replied to questions.

3.2 Motion – The draft Lands Tribunal (Salaries) Order (Northern Ireland) 2014

Proposed:

That the draft Lands Tribunals (Salaries) Order (Northern Ireland) 2014 be approved.

Minister of Justice

Debate ensued.

The Question being put, the Motion was **carried** without division.

3.3 Motion – Accelerated Passage: Education Bill

Proposed:

That the Education Bill proceed under the accelerated passage procedure.

Minister of Education

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The sitting was suspended at 12.28pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in 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 Safety, Mr Jim Wells.

The Deputy Speaker (Mr Beggs) took the Chair.

5. Executive Committee Business (Cont'd)

5.1 Motion – Accelerated Passage: Education Bill (Cont'd)

Debate resumed.

The Question being put, the Motion was **carried** on a cross-community vote (Division).

5.2 Second Stage – Education Bill (NIA 38/11-16)

The Minister of Education, Mr John O'Dowd, moved the Second Stage of the Education Bill (NIA 38/11-15).

Debate ensued.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The Deputy Speaker (Mr Dallat) took the Chair.

The Education Bill (NIA 38/11-15) passed Second Stage without division.

6. Adjournment

Mrs Jo-Anne Dobson spoke to her topic regarding the Provision of Heart Surgery for Children in Upper Bann.

Proposed:

That the Assembly do now adjourn.

The Principal Deputy Speaker

The Assembly adjourned at 7.44pm

Mr Mitchel McLaughlin MLA
Principal Deputy Speaker

14 October 2014

Northern Ireland Assembly

14 October 2014
Division

Motion - Accelerated Passage - Education Bill

Proposed:

That the Education Bill proceed under the accelerated passage procedure.

Minister of Education

The Question was put and the Assembly divided.

Ayes: 73
Noes: 14

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Ms J McCann, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Anderson, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, 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, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Other

Mrs Cochrane, Dr Farry, Mr Ford, Mr Lunn, Mr McCarthy.

Tellers for the Ayes: Mr Hazzard and Mr Sheehan

NOES

Unionist

Mr Allister, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

Other

Mr Agnew.

Tellers for the Noes: Mr Kinahan and Mrs Overend.

Total votes	87	Total Ayes	73	[83.9%]
Nationalist Vote	35	Nationalist Ayes	35	[100%]
Unionist Votes	46	Unionist Ayes	33	[71.7%]
Other Votes	6	Other Ayes	5	[83.3%]

The Motion was carried on a cross-community vote.

Northern Ireland Assembly

Papers Presented to the Assembly on 14 October 2014

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
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 15 October 2014

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	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	
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14				
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	/	/				
Insolvency (Amendment) Bill 39/11-16	07.10.14							

2011-2015 Mandate
Non-Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 20 October 2014

The Assembly met at noon, the Deputy Speaker (Mr Dallat) in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

2.1 Motion: Suspension of Standing Orders 10(2) to 10(4)

Proposed:

That Standing Orders 10(2) to 10(4) be suspended for Monday 20 October 2014.

Mr P Weir
Ms C Ruane

The Question being put, the Motion, was **carried** with cross-community support *nemine contradicente*.

3. Executive Committee Business

3.1 Statement – North South Ministerial Council meeting in Agriculture Sectoral format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Agriculture Sectoral format, following which she replied to questions.

4. Assembly Business

4.1 New Member

The Deputy Speaker informed Members that he had been notified by the Chief Electoral Officer that Mr Maurice Devenney had been returned as a Member of the Assembly for the Foyle constituency to fill the vacancy that resulted from the resignation of Mr William Hay.

Mr Maurice Devenney signed the Roll of Members on 20 October 2014 in the presence of the Deputy Speaker, Mr Dallat. The Deputy Speaker confirmed that the Member had signed the Roll and had entered his designation of identity.

5. Private Members' Business

5.1 Consideration Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15)

The Lord Morrow, sponsor of the Bill, moved the Consideration Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15).

64 amendments were tabled to the Bill, as well as notice of intention to oppose the questions that Clauses 1, 2, 4 to 10, 12, 14, 15, 17 and 18 stand part of the Bill.

Debate ensued.

The debate was suspended for Question Time.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

6. Question Time

6.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the First Minister, the Rt Hon Peter Robinson. The junior Minister, Mr Bell, also answered a number of questions.

6.2 Minister of Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

7. Private Members' Business (Cont'd)

7.1 Consideration Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) (cont'd)

Debate resumed on the Bill.

The Deputy Speaker (Mr Beggs) took the Chair.

Clauses

The question that Clause 1 stand part of the Bill was **negatived** without division.

After debate, Amendment 1 inserting new Clause 1A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 2 inserting new Clause 1B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 3 inserting new Clause 1C was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 4 inserting new Clause 1D was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 2 stand part of the Bill was **negatived** without division.

After debate, Amendment 5 inserting new Clause 2A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendments 6 to 14 to Clause 3 were **made** without division.

The question being put, it was **agreed** without division that Clause 3, as amended, stand part of the Bill.

After debate, Amendments 15 to 20 to Clause 4 were **made** without division.

The question being put, it was **agreed** on division that Clause 4, as amended, stand part of the Bill (Division 1).

The question that Clause 5 stand part of the Bill was **negatived** without division.

After debate, Amendment 21 inserting new Clause 5A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 22 inserting new Clause 5B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 23 inserting new Clause 5C was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The Deputy Speaker (Mr Dallat) took the Chair.

After debate, Amendment 24 inserting new Clause 5D was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 25 inserting new Clause 5E was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 26 inserting new Clause 5F was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 27 inserting new Clause 5G was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The sitting was suspended at 7.45pm.

The sitting resumed at 8.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

Debate resumed on the Bill.

The Deputy Speaker (Mr Dallat) took the Chair.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

After debate, Amendments 28 to 38 to Clause 6 were **made** without division.

The question being put, it was **agreed** on division that Clause 6, as amended, stand part of the Bill (Division 2).

Amendment 39 was not moved.

After debate, Amendment 40 inserting new Clause 6B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 7 stand part of the Bill was **negatived** without division.

The Deputy Speaker (Mr Dallat) took the Chair.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The question that Clause 8 stand part of the Bill was **negatived** without division.

The question that Clause 9 stand part of the Bill was **negatived** without division.

After debate, Amendment 41 inserting new Clause 9A was **made** without division and it was agreed that the new clause stand part of the Bill.

The question that Clause 10 stand part of the Bill was **negatived** without division.

After debate, Amendment 42 inserting new Clause 10A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 43 inserting new Clause 10B, was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 44 inserting new Clause 10B, was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 45 to Clause 11 was **made** without division.

The question being put, it was **agreed** without division that Clause 11, as amended, stand part of the Bill.

The question that Clause 12 stand part of the Bill was **negatived** without division.

After debate, Amendment 46 inserting new Clause 12A, was **negatived** on division (Division 3).

After debate, Amendment 47 inserting new Clause 12A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 48 inserting new Clause 12B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendments 49 to 52 to Clause 13 were **made** without division.

The question being put, it was **agreed** without division that Clause 13, as amended, stand part of the Bill.

The question that Clause 14 stand part of the Bill was **negatived** without division.

After debate, Amendment 53 inserting new Clause 14A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 15 stand part of the Bill was **negatived** without division.

It was **agreed** without division that Clause 16 stand part of the Bill.

The question that Clause 17 stand part of the Bill was **negatived** without division.

After debate, Amendment 54 inserting new Clause 17A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 55 inserting new Clause 17B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question that Clause 18 stand part of the Bill was **negatived** without division.

After debate, Amendment 56 inserting new Clause 18A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 57 to Clause 19 was **made** without division.

Amendment 58 was not moved.

As Amendment 58 was not moved, Amendment 59 was not called.

The question being put, it was **agreed** without division that Clause 19, as amended, stand part of the Bill.

After debate, Amendment 60 inserting new Schedule 1 was **made** without division and it was **agreed** that the new schedule stand part of the Bill.

After debate, Amendment 61 inserting new Schedule 2 was **made** without division and it was **agreed** that the new schedule stand part of the Bill.

After debate, Amendment 62 inserting new Schedule 3 was **made** without division and it was **agreed** that the new schedule stand part of the Bill.

After debate, Amendment 63 inserting new Schedule 4 was **made** without division and it was **agreed** that the new schedule stand part of the Bill.

After debate, Amendment 64 inserting new Schedule 5 was **made** without division and it was **agreed** that the new schedule stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

Bill NIA 26/11-15 stood referred to the Speaker.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Principal Deputy Speaker

The Assembly adjourned at 1.54am.

Mr John Dallat MLA
Deputy Speaker

20 October 2014

Northern Ireland Assembly

20 October 2014
Division 1

Consideration Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) – Clause 4.

Proposed:

Clause 4, as amended, stand part of the Bill.

The Question was put and the Assembly divided.

Ayes: 58
Noes: 37

AYES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, 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, Mrs D Kelly, Mr Kennedy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.

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

NOES

Mr Agnew, Mr Allister, Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 B McCrea, 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 O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan, Ms Sugden.

Tellers for the Noes: Mr Dickson and Mr McCarthy.

Question accordingly **agreed** to.

Northern Ireland Assembly

20 October 2014
Division 2

Consideration Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) – Clause 6.

Proposed:

Clause 6, as amended, stand part of the Bill.

The Question was put and the Assembly divided.

Ayes: 81
Noes: 10

AYES

Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir, Mr Wilson.

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

NOES

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea.

Tellers for the Noes: Mr Dickson and Mr McCarthy.

Question accordingly **agreed** to.

Northern Ireland Assembly

20 October 2014
Division 3

Consideration Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) – Amendment 46

Proposed:

New Clause

After clause 12 insert -'Child trafficking guardian

12A.—(1)The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (a "child trafficking guardian") to be appointed to assist, represent and support a child to whom this section applies.

(2)This section applies to a child if—

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim;

and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined.

(3)Arrangements under this section must—

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland)

2008);

(b) provide for the appointment of a person as the child trafficking guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person—

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of a child trafficking guardian only where the person with parental responsibility for the child—

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of a child trafficking guardian, including in particular provision for such termination—

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the child trafficking guardian, the Regional Health and Social Care

Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4)The Department of Health, Social Services and Public Safety shall by regulations make provision for—

(a) the training and qualifications required for a person to be eligible for appointment as a child trafficking guardian;

(b) the support to be provided for, and the supervision of, a child trafficking guardian.

(5) A child trafficking guardian appointed in relation to a child must at all times act in the best interests of the child.

(6)The functions of a child trafficking guardian include (where appropriate)—

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for—

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7)Any person or body providing services or taking administrative decisions in relation to a child for whom a child trafficking guardian has been appointed under this section must recognise, and pay due regard to, the functions of the child trafficking guardian and must (to the extent otherwise permitted by law) provide the child trafficking guardian with access to such information relating to the child as will enable the child trafficking guardian to carry out his or her functions effectively.

(8)The Department of Health, Social Services and Public Safety may by regulations confer additional functions on child trafficking guardians.

(9)The arrangements under this section may provide for a child trafficking guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10)In this section—

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland)

Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order).'

Minister of Justice
Lord Morrow

The Question was put and the Assembly divided.

Ayes: 41
Noes: 45

AYES

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Maurice Devenney, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, 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.

Tellers for the Ayes: Mr Dickson and Mr G Robinson.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Cree, Mrs Dobson, Mr Eastwood, Mr Elliott, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Lynch, Mr McAleer, Mr McCallister, Mr F McCann, Mr McCartney, Mr B McCrea, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Swann.

Tellers for the Noes: Mr Boylan and Mr Lynch.

The Amendment was **negatived**.

Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill
Marshalled List of Amendments
Consideration Stage
Monday, 20 October 2014

Amendments tabled up to 9.30 am Thursday, 16 October 2014 and selected for debate

Clause 1 *[Question that Clause 1 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 1 stand part of the Bill.

The Lord Morrow of Clogher Valley
Minister of Justice

Amendment 1 *[Made without division]*

New Clause

After clause 1 insert -

'Slavery, servitude and forced or compulsory labour

1A.—(1) A person ("A") commits an offence if —

(a) A holds another person ("B") in slavery or servitude and the circumstances are such that A knows or ought to know that B is held in slavery or servitude, or

(b) A requires B to perform forced or compulsory labour and the circumstances are such that A knows or ought to know that B is being required to perform forced or compulsory labour.

(2) In subsection (1) the references to holding B in slavery or servitude or requiring B to perform forced or compulsory labour are to be construed in accordance with Article 4 of the Human Rights Convention.

(3) In determining whether B is being held in slavery or servitude or required to perform forced or compulsory labour regard may be had to all the circumstances.

(4) In particular, regard may be had to any of B's personal circumstances which may make B more vulnerable than other persons such as, for example —

(a) that B is a child or a vulnerable adult; or

(b) that A is a member of B's family.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 2 *[Made without division]*

New Clause

After clause 1 insert -

'Human trafficking

1B.—(1) A person ("A") commits an offence if A arranges or facilitates the travel of another person ("B") with a view to B being exploited.

(2) A may in particular arrange or facilitate B's travel by recruiting B, transporting or transferring B, harbouring or receiving B, or transferring or exchanging control over B.

(3) A arranges or facilitates B's travel with a view to B being exploited only if —

(a) A intends to exploit B (in any part of the world) during or after the travel, or

(b) A knows or ought to know that another person is likely to exploit B (in any part of the world) during or after the travel.

(4) "Travel" means —

(a) arriving in, or entering, any country,

(b) departing from any country,

(c) travelling within any country.

(5) The consent of B to any act which forms part of an offence under this section is irrelevant.

(6) A person to whom this subsection applies commits an offence under this section regardless of

(a) where the arranging or facilitating takes place, or

(b) where the travel takes place.

(7) Any other person commits an offence under this section if —

(a) any part of the arranging or facilitating takes place in the United Kingdom, or

(b) the travel consists of arrival in or entry into, departure from, or travel within the United Kingdom.

(8) Subsection (6) applies to —

(a) a UK national;

(b) a person who at the time of the offence was habitually resident in Northern Ireland; and

(c) a body incorporated under the law of a part of the United Kingdom.

(9) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 3 *[Made without division]*

New Clause

After clause 1 insert -

'Meaning of exploitation for purposes of section 1B

1C.—(1) For the purposes of section 1B, a person is exploited only if one or more of the following subsections apply in relation to the person.

Slavery, servitude and forced or compulsory labour

(2) The person is the victim of behaviour —

(a) which involves the commission of an offence under section 1A, or

(b) which would involve the commission of an offence under that section if it took place in Northern Ireland.

Sexual exploitation

(3) Something is done to or in respect of the person —

(a) which involves the commission of an offence under —

(i) Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs of children), or

(ii) any provision of the Sexual Offences (Northern Ireland) Order 2008 (sexual offences), or

(b) which would involve the commission of such an offence if it were done in Northern Ireland.

Removal of organs etc.

(4) The person is encouraged, required or expected to do anything —

(a) which involves the commission, by him or her or another person, of an offence under section 32 or 33 of the Human Tissue Act 2004 (prohibition of commercial dealings in organs and restrictions on use of live donors) in Northern Ireland, or

(b) which would involve the commission of such an offence, by him or her or another person, if it were done in Northern Ireland.

Securing services etc. by force, threats or deception

(5) The person is subjected to force, threats, abduction, coercion, fraud or deception designed to induce him or her —

(a) to provide services of any kind,

(b) to provide another person with benefits of any kind, or

(c) to enable another person to acquire benefits of any kind;

and for the purposes of this subsection "benefits" includes the proceeds of forced begging or of criminal activities.

Securing services etc. from children and vulnerable persons

(6) Another person uses or attempts to use the person for a purpose within paragraph (a), (b) or (c) of subsection (5), having chosen him or her for that purpose on the grounds that —

(a) he or she is a child or a vulnerable adult or is a member of the other person's family or the other person is in a position of trust in relation to him or her; and

(b) a person who was not within paragraph (a) would be likely to refuse to be used for that purpose.*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 4 *[Made without division]*

New Clause

After clause 1 insert -

'Committing offence with intent to commit offence under section 1A or 1B

1D.—(1) A person commits an offence under this section if the person commits any offence with the intention of committing an offence under section 1A or 1B (including an offence committed by aiding, abetting, counselling or procuring an offence under that section).

(2) A person guilty of an offence under this section is (unless subsection (3) applies) liable -

(a) on conviction on indictment, to imprisonment for a term not exceeding 10 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(3) Where the offence under this section is committed by kidnapping or false imprisonment, a person guilty of that offence is liable, on conviction on indictment, to imprisonment for life.*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 2 *[Question that Clause 2 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 2 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 5 *[Made without division]*

New Clause

After clause 2 insert -

'Sentencing for offences under section 1A or 1B

Offences to be serious offences for purposes of sentencing

2A.—(1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.

(2) In Schedule 1 (serious offences for purposes of sentencing dangerous offenders) after paragraph 31 insert —

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under —

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking).".

(3) In Part 1 of Schedule 2 (specified violent offences for purposes of sentencing dangerous offenders) after paragraph 31 insert —

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

31A. An offence under —

section 1A (slavery, servitude and forced or compulsory labour);

section 1B (human trafficking) which is not within Part 2 of this Schedule.".

(4) In Part 2 of Schedule 2 (specified sexual offences for purposes of sentencing dangerous offenders) after paragraph 14 insert —

"The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014

"14A. An offence under section 1B (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 1C(3) of that Act (sexual exploitation).".*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 6 *[Made without division]*

Clause 3*, Page 2, Line 9*

Leave out 'a human trafficking offence or a slavery offence' and insert 'an offence under section 1A or 1B'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 7 *[Made without division]*

Clause 3*, Page 2, Line 13*

Leave out 'family member' and insert 'member of the family'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 8 *[Made without division]*

Clause 3*, Page 2, Line 15*

Leave out 'a victim who was'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 9 *[Made without division]*

Clause 3*, Page 2, Line 17*

Leave out 'the victim's family' and insert 'a member of the family of the victim'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 10 *[Made without division]*

Clause 3*, Page 2, Line 19*

Leave out 'offence' and insert 'offender'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 11 *[Made without division]*

Clause 3*, Page 2, Line 21*

Leave out 'was committed by use of serious violence or'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 12 *[Made without division]*

Clause 3*, Page 2*

Leave out line 24 and insert –

—

(i) of an offence under section 1A or 1B;

(ii) of an offence under any provision repealed by this Act;

(iii) in respect of anything done outside Northern Ireland which was not an offence mentioned in paragraph (i) or (ii) but would have been such an offence if done in Northern Ireland.*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 13 *[Made without division]*

Clause 3*, Page 2*

Leave out lines 26 and 27 and insert -

'"public official" means —

(a) a member of the Northern Ireland civil service or the United Kingdom civil service;

(b) a person employed by a body established by an Act of Parliament or by Northern Ireland legislation;

(c) the holder of an office established by an Act of Parliament or by Northern Ireland legislation;

(d) a police officer;*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 14 *[Made without division]*

Clause 3*, Page 2*

Leave out lines 30 to 34

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 4 *[Question that Clause 4, as amended, stand part was agreed on division]*

The Minister of Justice gives notice of his intention to oppose the question that clause 4 stand part of the Bill.

Minister of Justice

Amendment 15 *[Made without division]*

Clause 4*, Page 2, Line 36*

Leave out 'a human trafficking offence or a slavery offence' and insert 'an offence under section 1A or 1B.'

The Lord Morrow of Clogher Valley

Amendment 16 *[Made without division]*

Clause 4*, Page 2, Line 37*

At end insert 'and that individual was aged 18 or over when the offence was committed'

The Lord Morrow of Clogher Valley

Amendment 17 *[Made without division]*

Clause 4*, Page 2, Line 41*

At end insert -

'(2A) If there are exceptional circumstances which justify —

(a) the imposition of a lesser sentence than that provided for under subsection (2); or

(b) the exercise by the court of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968;

the court shall state in open court that it is of the opinion that such exceptional circumstances exist and the reasons for that opinion.'

The Lord Morrow of Clogher Valley

Amendment 18 *[Made without division]*

Clause 4*, Page 2, Line 41*

At end insert -

'(2B) Where subsection (3) applies the Chief Clerk shall record both the opinion of the court that exceptional circumstances exist and the reasons stated in open court which justify either the imposition of a lesser sentence or the exercise of its powers under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968 as the case may be.'

The Lord Morrow of Clogher Valley

Amendment 19 *[Made without division]*

Clause 4*, Page 2, Line 41*

At end insert -

'(2C) For the purposes of subsection (2) the words "custodial sentence" shall not include a sentence in relation to which the court has made an order under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968.'

The Lord Morrow of Clogher Valley

Amendment 20 *[Made without division]*

Clause 4*, Page 2, Line 41*

At end insert -

'(2D) In section 36 (review of sentencing) of the Criminal Justice Act 1988 in subsection (9)(b) omit the 'and' at the end of the subsection and after subsection (9)(c) insert —

"and

(d) subsection (2)(b) shall be read as if it included a reference to a sentence required by section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

(2E) The Criminal Justice (Northern Ireland) Order 1996 is amended as follows —

(a) in Article 2(9) (interpretation of references to sentences falling to be imposed under various statutory provisions) after "2006" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014";

(b) in each of —

(i) Article 4(1) (power to discharge defendant except in specified circumstances),

(ii) Article 10(1) (power to impose probation order except in specified cases),

(iii) Article 13(1) (power to impose community service order except in specified cases),

(iv) Article 15(1) (power to impose combination order except in specified circumstances),

after "2008" insert "or section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014".

(2F) In the Criminal Justice (Northern Ireland) Order 2008 —

(a) in Article 5 (restrictions on imposing certain custodial sentences) in paragraph (1)(b) omit "or" at the end add of paragraph (ii) and after paragraph (iii) add —

"or

(iv) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.";

(b) in Article 7 (length of custodial sentence) in paragraph (3) at the end add —

"(c) section 4(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".'

The Lord Morrow of Clogher Valley

Clause 5 *[Question that Clause 5 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 5 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 21 *[Made without division]*

New Clause

After clause 5 insert -

'Orders that may be made on conviction of offence under section 1A or 1B

Confiscation of assets

5A.—(1) Schedule 5 to the Proceeds of Crime Act 2002 (criminal lifestyle offences in Northern Ireland) is amended as follows.

(2) After paragraph 3 insert —

"Slavery, etc.

3A. An offence under section 1A of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude and forced or compulsory labour)."

(3) In paragraph 4 (people trafficking) at the end insert —

"(4) An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (human trafficking).".'

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 22 *[Made without division]*

New Clause

After clause 5 insert -

'Detention and forfeiture of certain vehicles, ships and aircraft

5B. Schedule 1 (which makes provision for, and in connection with, the detention and forfeiture of certain vehicles, ships and aircraft used or intended to be used in connection with offences under section 1A or 1B) has effect.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 23 *[Made without division]*

New Clause

After clause 5 insert -

'Slavery and trafficking reparation orders

5C. Schedule 2 (which makes provision for, and in connection with, slavery and trafficking reparation orders) has effect.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 24 *[Made without division]*

New Clause

After clause 5 insert -

'Prevention, enforcement, etc.

Slavery and trafficking prevention orders

5D. Schedule 3 (which makes provision for, and in connection with, slavery and trafficking prevention orders) has effect.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 25 *[Made without division]*

New Clause

After clause 5 insert -

'Strategy on offences under sections 1A and 1B

5E.—(1) The Department shall, at least once in every year, publish a strategy on offences under section 1A and 1B ("relevant offences").

(2) In drawing up the strategy the Department must —

(a) consult with other relevant organisations; and

(b) have regard to views expressed by such organisations.

(3) The purpose of the strategy is to —

(a) raise awareness of relevant offences in Northern Ireland;

(b) contribute to a reduction in the number of such offences.

(4) The strategy shall in particular —

(a) set out arrangements for co-operation between relevant organisations in dealing with relevant offences or the victims of such offences;

(b) include provision as to the training and equipment of those involved in investigating or prosecuting relevant offences or dealing with the victims of such offences;

(c) include provisions aimed at raising awareness of the rights and entitlements of victims of such offences.

(5) In this section "relevant organisation" means any body, agency or other organisation with functions or activities relating to relevant offences or the victims of such offences.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 26 *[Made without division]*

New Clause

After clause 5 insert -

'Duty to notify National Crime Agency about suspected victims of offences under section 1A or 1B

5F.—(1) A specified public authority must notify the National Crime Agency if it has reason to believe that a person may be a victim of an offence under section 1A or 1B.

(2) The Department —

(a) must issue guidance to specified public authorities about the sorts of things which indicate that a person may be a victim of an offence under section 1A or 1B;

(b) may from time to time revise the guidance; and

(c) must arrange for any guidance issued or revised to be published in a way the Department considers appropriate.

(3) The Department may by regulations make provision about the information to be included in a notification under subsection (1).

(4) The regulations must provide that a notification relating to a person aged 18 or over may not include information that —

(a) identifies the person, or

(b) enables the person to be identified (either by itself or in combination with other information),

unless the person consents to the inclusion of the information.

(5) The regulations may not require information to be included if its inclusion would result in a disclosure which contravenes the Data Protection Act 1998.

(6) In this section "specified public authority" means a public authority specified in regulations made by the Department.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 27 *[Made without division]*

New Clause

After clause 5 insert -

'Investigation and prosecution of offences under section 1A or 1B

5G.—(1) The investigation or prosecution of an offence under section 1A or 1B is not dependent on the victim reporting the offence or accusing a person of committing the offence.

(2) Proceedings for an offence under section 1A or 1B may be commenced or continued even if the victim of the offence has withdrawn any statement made in relation to the offence.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Clause 6 *[Question that Clause 6, as amended, stand part was agreed on division]*

The Minister of Justice gives notice of his intention to oppose the question that clause 6 stand part of the Bill.

Minister of Justice

Amendment 28 *[Made without division]*

Clause 6*, Page 3, Line 26*

At end insert -

'(1A) In Article 58 (Interpretation of this Part) at the end of paragraph (3) insert "other than in Article 64A".*'*

The Lord Morrow of Clogher Valley

Amendment 29 *[Made without division]*

Clause 6*, Page 3, Line 26*

At end insert -

'(1B) Article 59 (Loitering or soliciting for purposes of prostitution) is repealed.*'*

Mr Raymond McCartney

Mr Seán Lynch

Mr Chris Hazzard

Amendment 30 *[Made without division]*

Clause 6*, Page 3, Line 31*

Leave out 'over the age of 18'

The Lord Morrow of Clogher Valley

Amendment 31 *[Made without division]*

Clause 6*, Page 3, Line 35*

After 'to' insert 'imprisonment for a term not exceeding 6 months or'

The Lord Morrow of Clogher Valley

Amendment 32 *[Made without division]*

Clause 6*, Page 3, Line 36*

After 'scale' insert ', or both'

The Lord Morrow of Clogher Valley

Amendment 33 *[Made without division]*

Clause 6*, Page 3, Line 37*

Before 'to imprisonment' insert 'on conviction on indictment'

The Lord Morrow of Clogher Valley

Amendment 34 *[Made without division]*

Clause 6*, Page 3, Line 39*

After 'advantage' insert 'to B or any person other than B'

The Lord Morrow of Clogher Valley

Amendment 35 *[Made without division]*

***Clause 6**, Page 3, Line 41*

Leave out '(including sexual services)'

The Lord Morrow of Clogher Valley

***Amendment 36** [Made without division]*

***Clause 6**, Page 3, Line 41*

At end insert -

'(3A) No offence is committed under this article unless the sexual services that are provided or are to be provided by B to A involve —

(a) B being physically in A's presence,

(b) B touching A or A touching B, and

(c) the touching is sexual.'

The Lord Morrow of Clogher Valley

***Amendment 37** [Made without division]*

***Clause 6**, Page 4, Line 4*

Leave out 'must raise awareness of this offence.' and insert 'shall conduct an advertising campaign to ensure public awareness of the change effected by this section.'

The Lord Morrow of Clogher Valley

***Amendment 38** [Made without division]*

***Clause 6**, Page 4, Line 7*

At end insert -

'(7) In particular the report must set out —

(a) information on the nature and extent of prostitution connected to human trafficking including numbers of arrests and convictions during the period covered by the report in connection with an offence under this Article or section 1A, 1B or 1D of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Act (Northern Ireland) 2014;

(b) the extent to which, in the opinion of the Department, this Article has operated to reduce human trafficking; and

(c) the impact of this Article on the safety and well-being of prostitutes.'

Mr Raymond McCartney

Mr Seán Lynch

Mr Chris Hazzard

***Amendment 39** [Not moved]*

New Clause

After clause 6 insert -

'Time limit for prosecution of offences under Article 64A of the Sexual Offences (Northern Ireland) Order 2008

6A.—(1) In Article 64A of the Sexual Offences (Northern Ireland) Order 2008 (paying for sexual services of a prostitute subjected to force, etc.) at the end add —

"(5) Notwithstanding anything in Article 19(1) of the Magistrates Courts (Northern Ireland) Order 1981, proceedings for an offence under this Article may be brought within the period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the knowledge of the prosecutor; but no proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.

(6) For the purposes of paragraph (5) —

(a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as is mentioned in that paragraph came to the knowledge of the prosecutor shall be conclusive evidence of that fact; and

(b) a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.".

(2) Subsection (1) does not apply in relation to proceedings for an offence if —

(a) the offence was committed before the day on which that subsection comes into operation; and

(b) but for that subsection, Article 19(1) of the Magistrates' Courts (Northern Ireland) Order would have prevented proceedings being brought for that offence on that day.'

Minister of Justice

Amendment 40 *[Made without division]*

New Clause

After clause 6 insert -

'Offence of forced marriage

Offence of forced marriage

6B.—(1) A person commits an offence if he or she —

(a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into a marriage, and

(b) believes, or ought reasonably to believe, that the conduct may cause the other person to enter into the marriage without free and full consent.

(2) It is irrelevant whether the conduct mentioned in paragraph (a) of subsection (1) is directed at the victim of the offence under that subsection or another person.

(3) In relation to a victim who is incapable of consenting by reason of mental disorder, the offence under subsection (1) is capable of being committed by any conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).

(4) In this section —

"marriage" means any religious or civil ceremony of marriage (whether or not legally binding);

"mental disorder" has the meaning given by the Mental Health (Northern Ireland) Order 1986.

(5) A person commits an offence if he or she —

(a) practises any form of deception with the intention of causing another person to leave the United Kingdom, and

(b) intends the other person to be subjected to conduct outside the United Kingdom that is an offence under subsection (1) or would be an offence under that subsection if the victim were in Northern Ireland.

(6) A person commits an offence under subsection (1) or (5) only if, at the time of the conduct or deception —

(a) the person or the victim or both of them are in Northern Ireland,

(b) neither the person nor the victim is in Northern Ireland but at least one of them is habitually resident in Northern Ireland, or

(c) neither the person nor the victim is in the United Kingdom but at least one of them is a UK national.

(7) A person guilty of an offence under this section is liable —

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.'

Minister of Finance and Personnel

Clause 7 *[Question that Clause 7 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 7 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 8 *[Question that Clause 8 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 8 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 9 *[Question that Clause 9 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 9 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 41 *[Made without division]*

New Clause

After clause 9 insert -

'Interpretation of this Part

9A.—(1) For the purposes of this Part there is a conclusive determination that a person is, or is not, a victim of trafficking in human beings when, on completion of the identification process required by Article 10 of the Trafficking Convention, a competent authority concludes that the person is, or is not, such a victim.

(2) In this Part —

"competent authority" means a person who is a competent authority of the United Kingdom for the purposes of the Trafficking Convention;

"the Trafficking Convention" means the Council of Europe Convention on Action against Trafficking in Human Beings (done at Warsaw on 16 May 2005);

"trafficking in human beings" has the same meaning as in the Trafficking Convention.*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 10 *[Question that Clause 10 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 10 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 42 *[Made without division]*

New Clause

After clause 10 insert -

'Assistance and support pending determination by competent authority

10A.—(1) The Department must ensure that a person to whom this section applies is provided with assistance and support in accordance with this section.

(2) This section applies to a person if —

(a) that person is aged 18 or over or, in a case where the age of the person is uncertain, the Department reasonably believes that person is aged 18 or over; and

(b) a reference relating to that person has been, or is about to be, made to the competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the person is a victim of trafficking in human beings.

(3) Assistance and support is to be provided under this section until there is made in relation to that person —

(a) a determination that there are not reasonable grounds to believe that the person is a victim of trafficking in human beings; or

(b) a conclusive determination that the person is or is not a victim of trafficking in human beings;

but if a conclusive determination that a person is a victim of trafficking in human beings is made within the relevant period, assistance and support is to be provided until the end of that period.

(4) The relevant period is the period of 45 days from the date on which the determination mentioned in subsection (2)(b) is made by the competent authority.

(5) Assistance and support provided to a person under this section —

(a) must not be conditional on the person's acting as a witness in any criminal proceedings;

(b) must only be provided with the agreement of that person;

(c) must be provided in a manner which takes due account of the needs of that person as regards safety and protection from harm;

(d) must be provided to meet the assessed needs of that person, having regard in particular to any special needs or vulnerabilities of that person caused by gender, pregnancy, physical or mental illness, disability or being the victim of serious violence or serious abuse.

(6) Assistance and support under this section must be offered from a person who is of the same gender as the person receiving it.

(7) The assistance and support which may be provided under this section includes, but is not be restricted to, the provision of —

(a) appropriate and safe accommodation;

(b) material assistance (including financial assistance);

(c) assistance in obtaining healthcare services (including counselling);

(d) appropriate information on any matter of relevance or potential relevance to the particular circumstances of the person;

(e) translation and interpretation services;

(f) assistance in obtaining legal advice or representation;

(g) assistance with repatriation.

(8) Where assistance and support has been provided to any person under this section, it may continue to be provided even if that person leaves Northern Ireland.

(9) Where —

(a) assistance and support has been provided to a person under this section; and

(b) that person ceases, by virtue of a conclusive determination that the person is a victim of trafficking in human beings or the ending of the relevant period, to be a person to whom assistance and support is to be provided under this section,

the Department may nevertheless ensure that assistance and support continues to be provided to that person under this section for such further period as the Department thinks necessary.

(10) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 43 *[Made without division]*

New Clause

After clause 10 insert -

'Assistance and Support for Exiting Prostitution

10B.—(1) The Department of Health, Social Services, and Public Safety must ensure that there is a programme of assistance and support made available to a person who wishes to leave prostitution.

(2) Assistance and support provided under this section —

(a) is not conditional on the person's willingness to act as a witness;

(b) shall be provided with the agreement of the person; and

(c) shall take due account of the victim's safety and protection needs, including being offered assistance from a person of the same gender.

(3) Nothing in this section affects the entitlement of any person to assistance and support under any other statutory provision.

(4) For the purposes of this section "prostitution" has the same meaning as in Article 58 of the Sexual Offences (Northern Ireland) Order 2008.*'*

The Lord Morrow of Clogher Valley

Amendment 44 *[Made without division]*

New Clause

After clause 10 insert -

'Strategy on assistance and support for exiting prostitution

10B. The Department of Health, Social Services and Public Safety shall, at least once in every year, publish a strategy, in conjunction with other government departments, to ensure that a programme of assistance and support is made available to a person who wishes to leave prostitution.*'*

Mr Raymond McCartney

Mr Seán Lynch

Mr Chris Hazzard

Amendment 45 *[Made without division]*

Clause 11*, Page 6, Line 19*

Leave out from ', by order' to end of line 25 and insert -

'issue guidance as to —

(a) the procedures to be followed by a person to whom this section applies to apply for compensation under the Criminal Injuries (Compensation) (Northern Ireland) Order 2002;

(b) the grounds on which compensation may be awarded under that Order; and

(c) the arrangements available to assist and support such a person in applying for such compensation.

(3) This section applies to a person if (and only if) there has been a conclusive determination that the person is a victim of trafficking in human beings.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Clause 12 *[Question that Clause 12 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 12 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 46 *[Negatived on division]*

New Clause

After clause 12 insert -

'Child trafficking guardian

12A.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (a "child trafficking guardian") to be appointed to assist, represent and support a child to whom this section applies.

(2) This section applies to a child if —

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim;

and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined.

(3) Arrangements under this section must —

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the child trafficking guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person —

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of a child trafficking guardian only where the person with parental responsibility for the child —

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of a child trafficking guardian, including in particular provision for such termination —

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the child trafficking guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for —

(a) the training and qualifications required for a person to be eligible for appointment as a child trafficking guardian;

(b) the support to be provided for, and the supervision of, a child trafficking guardian.

(5) A child trafficking guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of a child trafficking guardian include (where appropriate) —

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for —

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom a child trafficking guardian has been appointed under this section must recognise, and pay due regard to, the functions of the child trafficking guardian and must (to the extent otherwise permitted by law) provide the child trafficking guardian with access to such information relating to the child as will enable the child trafficking guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on child trafficking guardians.

(9) The arrangements under this section may provide for a child trafficking guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section —

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order).'

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 47 *[Made without division]*

New Clause

After clause 12 insert -

'Independent Legal Guardian

12A.—(1) The Regional Health and Social Care Board must, in accordance with this section, make arrangements to enable a person (an "Independent Legal Guardian") to be appointed to assist, represent and support a child to whom this section applies.

(2) This section applies to a child if —

(a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of trafficking in human beings; and

(b) there has not been a conclusive determination that the child is not such a victim; and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined; or

(c) there is reason to believe that the person is a separated child, in which case the person shall be presumed to be a separated child.

(3) Arrangements under this section must —

(a) be made with a registered charity (within the meaning of the Charities Act (Northern Ireland) 2008);

(b) provide for the appointment of a person as the Independent Legal Guardian for a child to whom this section applies to be made by that charity;

(c) ensure that a person is not so appointed by that charity unless that person —

(i) is an employee of the charity; and

(ii) is eligible to be so appointed in accordance with regulations under subsection (4);

(d) provide for the appointment of an Independent Legal Guardian only where the person with parental responsibility for the child —

(i) is not in regular contact with the child or is outside the United Kingdom;

(ii) is suspected of having committed an offence under section 1B in relation to the child; or

(iii) for other reasons has interests which conflict with those of the child;

(e) include provision for the termination of the appointment of an Independent Legal Guardian, including in particular provision for such termination —

(i) if the child ceases to be a child to whom this section applies;

(ii) on the child attaining the age of 18 (unless subsection (9) applies);

(iii) on paragraph (d) ceasing to apply in relation to the child;

(iv) where, after consulting the Independent Legal Guardian, the Regional Health and Social Care Board is of the opinion that it is no longer necessary to continue the appointment because long-term arrangements have been made in relation to the child.

(4) The Department of Health, Social Services and Public Safety shall by regulations make provision for —

(a) the training and qualifications required for a person to be eligible for appointment as an Independent Legal Guardian;

(b) the support to be provided for, and the supervision of, an Independent Legal Guardian.

(5) An Independent Legal Guardian appointed in relation to a child must at all times act in the best interests of the child.

(6) The functions of an Independent Legal Guardian include (where appropriate) —

(a) ascertaining the views of the child in relation to matters affecting the child;

(b) making representations to, and liaising with, bodies or persons responsible for —

(i) providing care, accommodation, health services, education or translation and interpretation services to or in respect of the child; or

(ii) otherwise taking decisions in relation to the child;

(c) assisting the child to obtain legal or other advice, assistance and representation, including (where necessary) the appointment and instructing of legal representatives to act on behalf of the child;

(d) consulting regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;

(e) contributing to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child's best interests;

(f) providing a link between the child and any body or person who may provide services to the child;

(g) assisting in establishing contact with members of the child's family, where the child so wishes and it is in the child's best interests;

(h) accompanying the child to meetings or on other occasions.

(7) Any person or body providing services or taking administrative decisions in relation to a child for whom an Independent Legal Guardian has been appointed under this section must recognise, and pay due regard to, the functions of the guardian and must (to the extent otherwise permitted by law) provide the guardian with access to such information relating to the child as will enable the guardian to carry out his or her functions effectively.

(8) The Department of Health, Social Services and Public Safety may by regulations confer additional functions on Independent Legal Guardians.

(9) The arrangements under this section may provide for an Independent Legal Guardian appointed in relation to a person under the age of 18 to continue (with the consent of that person) to act in relation to that person after that person attains the age of 18 but is under the age of 21.

(10) In this section —

"administrative decision" does not include a decision taken by a court or tribunal;

"parental responsibility" has the meaning given by Article 6 of the Children (Northern Ireland) Order 1995, except that it does not include parental responsibility conferred by a care order (within the meaning of Article 49(1) of that Order);

"separated child" means a child who is outside their country of origin and has been separated from both parents, or from their previous legal or customary care giver, but not necessarily from other relatives. This may include children who have been trafficked, enslaved or exploited but are accompanied by other adults including community members, friends or members of their extended family.*'*

Mr Raymond McCartney

Mr Seán Lynch

Mr Chris Hazzard

Amendment 48 *[Made without division]*

New Clause

After clause 12 insert -

'Defence for slavery or trafficking victims compelled to commit an offence

12B.—(1) Subject to subsection (9), a person is not guilty of an offence if —

(a) the person is over the age of 18 when the act which constitutes the offence was done;

(b) the person does that act because the person is compelled to do that act,

(c) the compulsion is attributable to slavery or to relevant exploitation, and

(d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act.

(2) "Relevant characteristics" means age, sex and any physical or mental illness or disability.

(3) A person may be compelled to do something by another person or by the person's circumstances.

(4) Compulsion is attributable to slavery or to relevant exploitation only if —

(a) it is, or is part of, conduct which constitutes an offence under section 1A or conduct which constitutes relevant exploitation, or

(b) it is a direct consequence of a person being, or having been, a victim of an offence under section 1A or a victim of relevant exploitation.

(5) For the purposes of subsection (4) "relevant exploitation" is exploitation (within the meaning of section 1C) that is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(6) Subject to subsection (9), a person is not guilty of an offence if —

(a) the person is a child at the time the act which constitutes the offence is done; and

(b) that act was done as a direct consequence of the person being, or having been, a victim of an offence under section 1A or of relevant exploitation.

(7) For the purposes of subsection (6) "relevant exploitation" is exploitation which falls within one or more of subsections (2) to (5) of section 1C and is attributable to the exploited person being, or having been, a victim of an offence under section 1B.

(8) In this section references to an act include an omission.

(9) This section does not apply to an offence which, in the case of a person over the age of 21, is punishable on indictment with imprisonment for life or for a term of at least 5 years, other than any of the following offences under the Misuse of Drugs Act 1971 —

(a) an offence under section 4(2) committed in respect of a Class B or Class C drug;

(b) an offence under section 5(2) committed in respect of a Class B drug;

(c) an offence under section 6(2).

(10) The Department may by order amend subsection (9).*'*

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 49 *[Made without division]*

Clause 13*, Page 8, Line 6*

Leave out 'chief officer of police' and insert 'Chief Constable'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 50 *[Made without division]*

Clause 13*, Page 8, Line 7*

Leave out 'a human trafficking offence' and insert 'an offence under section 1A or 1B'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 51 *[Made without division]*

Clause 13*, Page 8, Line 21*

Leave out 'professionals' and insert 'persons'

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 52 *[Made without division]*

Clause 13*, Page 8, Line 28*

Leave out 'a reasoned decision' to end of line 29 and insert 'the police officer in charge of the investigation decides to the contrary and records the reasons for that decision in writing.'

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 14 *[Question that Clause 14 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 14 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Amendment 53 *[Made without division]*

New Clause

After clause 14 insert -

'Special measures: amendments to the Criminal Evidence (Northern Ireland) Order 1999

14A.—(1) The Criminal Evidence (Northern Ireland) Order 1999 is amended as follows.

(2) In Article 3 after paragraph (1) insert —

"(1A) In this Order "a slavery or human trafficking offence" means an offence under —

(a) section 57, 58, 58A or 59 of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(b) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(c) section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour); or

(d) section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery, servitude, forced or compulsory labour and human trafficking).".

(3) In Article 5(4) (witnesses eligible for assistance on grounds of fear or distress about testifying) after "sexual offence" insert "or a slavery or human trafficking offence".

(4) In Article 13(4)(a) (evidence given in private) after "sexual offence" insert "or or a slavery or human trafficking offence".

(5) In Article 21 (interpretation etc. of Part 2) after paragraph (4) insert —

"(5) For the purposes of this Part as it applies in relation to a witness who is the complainant in respect of a slavery or human trafficking offence, where the age of the witness is uncertain and there are reasons to believe that the witness is under the age of 18, that witness is presumed to be under the age of 18.".

(6) In Article 22 (complainants in proceedings for sexual offences) after "sexual offence" insert "or a slavery or human trafficking offence".

(7) In Article 23 (child complainants and other child witnesses) in paragraph (3) for sub-paragraph (cc) substitute —

"(cc) a slavery or human trafficking offence;".

(8) In Article 39 (general supplementary provisions) after paragraph (2) insert —

"(3) Paragraph (2) is subject to Article 21(5).".'

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 15 *[Question that Clause 15 stand part negatived without division]*

The Member and Minister listed below give notice of their intention to oppose the question that clause 15 stand part of the Bill.

The Lord Morrow of Clogher Valley

Minister of Justice

Clause 17 *[Question that Clause 17 stand part negatived without division]*

The Minister and Member listed below give notice of their intention to oppose the question that clause 17 stand part of the Bill.

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 54 *[Made without division]*

New Clause

After clause 17 insert -

'Interpretation of this Act

17A.—(1) In this Act —

"child" means a person under the age of 18;

"country" includes territory or other part of the world;

"the Department" means the Department of Justice;

"the Human Rights Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4th November 1950;

"public authority" means any public authority within the meaning of section 6 of the Human Rights Act 1998 (other than a court or tribunal) which exercises functions wholly or mainly in Northern Ireland;

"UK national" means —

(a) a British citizen;

(b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has a right of abode in the United Kingdom; or

(c) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar;

"vulnerable adult" means a person aged 18 or over whose ability to protect himself or herself from violence, abuse or exploitation is significantly impaired through physical or mental disability or illness, old age, addiction to alcohol or drugs or for any other reason.

(2) For the purposes of this Act —

(a) a person is in a position of trust in relation to another person in the circumstances mentioned in Article 28 of the Sexual Offences (Northern Ireland) Order 2008;

(b) a person is a member of another person's family if the relation of that person to the other person is within Article 34 of that Order.

(3) For the purposes of the exercise of any function under this Act relating to a child, if —

(a) the age of a person ("P") is uncertain; and

(b) the person exercising the function has reason to believe that P is a child,

P is to be treated as a child.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 55 *[Made without division]*

New Clause

After clause 17 insert -

'Amendments, repeals and consequential provision

17B.—(1) The statutory provisions set out in Schedule 4 have effect subject to the amendments in that Schedule.

(2) The statutory provisions set out in Schedule 5 are repealed to the extent specified in the second column of that Schedule.

(3) The repeal of a provision by this Act does not affect the operation of that provision in relation to an offence committed before the coming into operation of that repeal.

(4) The Department may by order make whatever provision the Department thinks appropriate in consequence of this Act.

(5) The provision which may be made by order under subsection (4) includes provision amending, repealing or revoking any statutory provision.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Clause 18 *[Question that Clause 18 stand part negatived without division]*

The Minister and Member listed below give notice of their intention to oppose the question that clause 18 stand part of the Bill.

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 56 *[Made without division]*

New Clause

After clause 18 insert -

'Orders and regulations

18A.—(1) Subject to subsections (2) to (5), orders made by the Department under this Act and regulations under this Act are subject to negative resolution.

(2) Subsection (1) does not apply to an order under section 19 (commencement).

(3) Orders to which subsection (4) applies shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

(4) This subsection applies to —

(a) an order under section 12B(10)(power to amend list of offences excluded from defence in section 12B);

(b) an order under section 17B(4) (consequential provision) which amends or repeals any provision of an Act or of Northern Ireland legislation;

(c) an order under paragraph 1(5) of Schedule 3 (power to amend definition of "slavery or human trafficking offence");

(d) an order under paragraph 2(7) of Schedule 3 (provision as to additional applicants for slavery and trafficking prevention orders);

(e) an order under paragraph 17 of Schedule 3 (cross-border enforcement of certain court orders).

(5) Regulations under section 5F (duty to notify National Crime Agency) or 12A(8) (additional functions for child trafficking guardians) shall not be made unless a draft of the order has been laid before and approved by resolution of the Assembly.

(6) Regulations under this Act and orders made by the Department under this Act may include saving, transitional, transitory, supplementary or consequential provision.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 57 *[Made without division]*

Clause 19*, Page 10*

Leave out line 11 and insert '(Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.'

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 58 *[Not moved]*

Clause 19*, Page 10, Line 12*

Leave out subsection (2) and insert -

'(2) The following provisions of this Act come into operation on the day after Royal Assent —

(a) section 17A (interpretation);

(b) section 17B(4) and (5) (consequential provision);

(c) section 18A (orders and regulations);

(d) this section.

(3) The other provisions of this Act come into operation on such day or days as the Department may by order appoint.*'*

Minister of Justice

Amendment 59 *[Not called]*

'As an amendment to the Amendment to ***clause 19****, page 10, line 12, tabled by the Minister of Justice on 14/10/14*

At end insert 'or, in the absence of such an order, 6 months after Royal Assent'

Chair, Committee for Justice'

Amendment 60 *[Made without division]*

New Schedule

After clause 19 insert -

'SCHEDULES

SCHEDULE 1

1) DETENTION AND FORFEITURE OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

Article I. *Forfeiture on conviction of offence under section 1A or 1B*

1.—(1) This paragraph applies if a person is convicted of an offence under section 1A or 1B.

(2) The court may order the forfeiture of a land vehicle used or intended to be used in connection with the offence if the convicted person —

(a) owned the vehicle at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the vehicle,

(c) was at that time in possession of the vehicle under a hire-purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the vehicle under a hire-purchase agreement, or

(e) was driving the vehicle in the course of the commission of the offence.

(3) The court may order the forfeiture of a ship or aircraft used or intended to be used in connection with the offence if the convicted person —

(a) owned the ship or aircraft at the time the offence was committed,

(b) was at that time a director, secretary or manager of a company which owned the ship or aircraft,

(c) was at that time in possession of the ship or aircraft under a hire purchase agreement,

(d) was at that time a director, secretary or manager of a company which was in possession of the ship or aircraft under a hire-purchase agreement,

(e) was at that time a charterer of the ship or aircraft, or

(f) committed the offence while acting as captain of the ship or aircraft.

(4) But where sub-paragraph (3)(a) or (b) does not apply to the convicted person, forfeiture of a ship or aircraft may be ordered only if sub-paragraph (5) applies or —

(a) in the case of a ship (other than a hovercraft), its gross tonnage is less than 500 tons;

(b) in the case of an aircraft, the maximum weight at which it may take off in accordance with its certificate of airworthiness is less than 5,700 kilogrammes.

(5) This sub-paragraph applies where a person who, at the time the offence was committed —

(a)owned the ship or aircraft, or

(b)was a director, secretary or manager of a company which owned it,

knew or ought to have known of the intention to use it in the course of the commission of an offence under section 1A or 1B.

(6) Where a person who claims to have an interest in a land vehicle, ship or aircraft applies to a court to make representations about its forfeiture, the court may not order its forfeiture without giving the person an opportunity to make representations.

Article II. *Detention of certain vehicles, ships and aircraft*

2.—(1) If a person ("P") has been arrested for an offence under section 1A or 1B, a constable may detain a relevant land vehicle, ship or aircraft.

(2) A land vehicle, ship or aircraft is relevant if the constable has reasonable grounds to believe that an order for its forfeiture could be made under paragraph 1 if P were convicted of the offence.

(3) The land vehicle, ship or aircraft may be detained —

(a) until a decision is taken as to whether or not to charge P with the offence,

(b) if P has been charged, until P is acquitted, the charge against P is dismissed or the proceedings are discontinued, or

(c) if P has been charged and convicted, until the court decides whether or not to order forfeiture of the vehicle, ship or aircraft.

(4) A person (other than P) may apply to the court for the release of the land vehicle, ship or aircraft on the grounds that the person —

(a) owns the vehicle, ship or aircraft,

(b) was, immediately before the detention of the vehicle, ship or aircraft, in possession of it under a hire-purchase agreement, or

(c) is a charterer of the ship or aircraft.

(5) The court to which an application is made under sub-paragraph (4) may, if satisfactory security or surety is tendered, release the land vehicle, ship or aircraft on condition that it is made available to the court if —

(a) P is convicted, and

(b) an order for its forfeiture is made under paragraph 1.

(6) In this paragraph "the court" means —

(a) if P has not been charged, or P has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;

(b) if P has been charged and proceedings for the offence have begun to be heard, the court hearing the proceedings.

Article III. *Interpretation*

3.—(1) In this Schedule —

"captain" means master (of a ship) or commander (of an aircraft);

"land vehicle" means any vehicle other than a ship or aircraft;

"ship" includes every description of vessel (including a hovercraft) used in navigation.

(2) In this Schedule a reference to being an owner of a vehicle, ship or aircraft includes a reference to being any of a number of persons who jointly own it.'

Minister of Justice
The Lord Morrow of Clogher Valley

Amendment 61 *[Made without division]*

New Schedule

After clause 19 insert -

'SCHEDULE 2

2) SLAVERY AND TRAFFICKING REPARATION ORDERS

Article IV. *Power to make slavery and trafficking reparation order*

1.—(1) The Crown Court may make a slavery and trafficking reparation order against a person if —

(a) the person has been convicted of an offence under section 1A, 1B or 1D, and

(b) the Crown Court makes a confiscation order against the person in respect of the offence.

(2) The Crown Court may also make a slavery and trafficking reparation order against a person if —

(a) by virtue of section 178 of the Proceeds of Crime Act 2002 (defendants who abscond during proceedings) it has made a confiscation order against a person in respect of an offence under section 1A, 1B or 1D, and

(b) the person is later convicted of the offence.

(3) The court may make a slavery and trafficking reparation order against the person in addition to dealing with the person in any other way (subject to paragraph 3(1)).

(4) In a case within sub-paragraph (1) the court may make a slavery and trafficking reparation order against the person even if the person has been sentenced for the offence before the confiscation order is made.

(5) In determining whether to make a slavery and trafficking reparation order against the person the court must have regard to the person's means.

(6) If the court considers that —

(a) it would be appropriate both to impose a fine and to make a slavery and trafficking reparation order, but

(b) the person has insufficient means to pay both an appropriate fine and appropriate compensation under such an order,

the court must give preference to compensation (although it may impose a fine as well).

(7) In any case in which the court has power to make a slavery and trafficking reparation order it must —

(a) consider whether to make such an order (whether or not an application for such an order is made), and

(b) if it does not make an order, give reasons.

(8) In this paragraph —

(a) "confiscation order" means a confiscation order under section 156 of the Proceeds of Crime Act 2002;

(b) a confiscation order is made in respect of an offence if the offence is the offence (or one of the offences) concerned for the purposes of Part 4 of that Act.

Article V. *Effect of slavery and trafficking reparation order*

2.—(1) A slavery and trafficking reparation order is an order requiring the person against whom it is made to pay compensation to the victim of a relevant offence for any harm resulting from that offence.

(2) "Relevant offence" means —

(a) the offence under section 1A, 1B or 1D of which the person is convicted;

(b) any other offence under section 1A, 1B or 1D which is taken into consideration in determining the person's sentence.

(3) The amount of the compensation is to be such amount as the court considers appropriate having regard to any evidence and to any

representations made by or on behalf of the person or the prosecutor, but subject to sub-paragraph (4).

(4) The amount of the compensation payable under the slavery and trafficking reparation order (or if more than one order is made in the same proceedings, the total amount of the compensation payable under those orders) must not exceed the amount the person is required to pay under the confiscation order.

(5) In determining the amount to be paid by the person under a slavery and trafficking reparation order the court must have regard to the person's means.

(6) A slavery and trafficking reparation order is enforceable in the same manner as any fine which has been, or might have been, imposed in respect of the offence for which the person has been convicted by the court making the order.

(7) In sub-paragraph (4) "the confiscation order" means the confiscation order within paragraph 1(1)(b) or (2)(a) (as the case may be).

Article VI. *Supplementary*

3.—(1) A slavery and trafficking reparation order and a compensation order under Article 14 of the Criminal Justice (Northern Ireland) Order 1994 may not both be made in respect of the same offence.

(2) Where the court makes a slavery and trafficking reparation order as mentioned in paragraph 1(4), for the purposes of the following provisions the person's sentence is to be regarded as imposed or made on the day on which the order is made —

(a) section 16(1) of the Criminal Appeal (Northern Ireland) Act 1980 (time limit for notice of appeal or application for leave to appeal);

(b) paragraph 1 of Schedule 3 to the Criminal Justice Act 1988 (time limit for notice of application for leave to refer a case under section 36 of that Act).

(3) Articles 15 to 17 of the Criminal Justice (Northern Ireland) Order 1994 (appeals, review etc. of compensation orders) apply to slavery and trafficking reparation orders as if —

(a) references to a compensation order were references to a slavery and trafficking reparation order;

(b) references to injury, loss or damage were references to harm;

(c) in Article 16(a) (as amended by Schedule 4) for sub-paragraph (ii) there were substituted -

"(ii) a compensation order under Article 14 of this Order; or";

(d) in Article 17 the references to service compensation orders or awards were omitted.

(4) If under section 171 or 172 of the Proceeds of Crime Act 2002 the court varies a confiscation order so as to increase the amount required to be paid under that order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order so as to increase the amount required to be paid under the slavery and trafficking reparation order.

(5) If under section 173 or 179 of that Act the court varies a confiscation order so as to reduce the amount required to be paid under that order, it may also —

(a) vary any relevant slavery and trafficking reparation order so as to reduce the amount which remains to be paid under that order;

(b) discharge any relevant slavery and trafficking reparation order.

(6) If under section 174 of that Act the court discharges a confiscation order, it may also discharge any relevant slavery and trafficking reparation order.

(7) For the purposes of sub-paragraphs (5) and (6) a slavery and trafficking reparation order is relevant if it is made by virtue of the confiscation order and some or all of the amount required to be paid under it has not been paid.

(8) If on an appeal under section 181 of the Proceeds of Crime Act 2002 the Court of Appeal —

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order;

(c) makes a confiscation order, it may make any slavery and trafficking reparation order the Crown Court could have made if it had made the confiscation order.

(9) If on an appeal under section 183 of that Act the Supreme Court —

(a) quashes a confiscation order, it must also quash any slavery and trafficking reparation order made by virtue of the confiscation order;

(b) varies a confiscation order, it may also vary any slavery and trafficking reparation order made by virtue of the confiscation order.

(10) For the purposes of this paragraph —

(a) a slavery and trafficking reparation order made under paragraph 1(1) is made by virtue of the confiscation order within paragraph 1(1)(b);

(b) a slavery and trafficking reparation order made under paragraph 1(2) is made by virtue of the confiscation order within paragraph 1(2)(a).'

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 62 *[Made without division]*

New Schedule

After clause 19 insert -

'SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 1

MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

Article VII. *Slavery and trafficking prevention orders on dealing with defendant*

1.—(1) A court may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") where it deals with the defendant in respect of —

(a) a conviction for a slavery or human trafficking offence,

(b) a finding that the defendant is not guilty of a slavery or human trafficking offence by reason of insanity, or

(c) a finding that the defendant is unfit to plead and has done the act charged against the defendant in respect of a slavery or human trafficking offence.

(2) The court may make the order only if it is satisfied that —

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(3) For the purposes of sub-paragraph (1), convictions and findings include those taking place before this Schedule comes into operation.

(4) In this Schedule a "slavery or human trafficking offence" means any of the following offences —

(a) an offence under section 145 of the Nationality, Immigration and Asylum Act 2002 (trafficking for prostitution);

(b) an offence under section 57, 58, 58A, 59 or 59A of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

(c) an offence under section 62 of that Act (committing offence with intent to commit relevant sexual offence), where the relevant sexual offence the person in question intended to commit was an offence under section 57, 58, 58A, 59 or 59A of that Act;

(d) an offence under section 22 of the Criminal Justice (Scotland) Act 2003 (trafficking for prostitution);

(e) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);

(f) an offence under section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour);

(g) an offence under section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour);

(h) an offence under section 1A, 1B or 1D of this Act;

(i) an offence of attempting or conspiring to commit an offence listed above;

(j) an offence committed by aiding, abetting, counselling, procuring or inciting the commission of an offence so listed;

(k) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence so listed.

(5) The Department may by order amend sub-paragraph (4).

Article VIII. *Slavery and trafficking prevention orders on application*

2.—(1) A court of summary jurisdiction may make a slavery and trafficking prevention order against a person aged 18 or over ("the defendant") on an application by the Chief Constable.

(2) The court may make the order only if it is satisfied that —

(a) the defendant is a relevant offender (see paragraph 3), and

(b) since the defendant first became a relevant offender, the defendant has acted in a way which means that the condition in sub-paragraph (3) is met.

(3) The condition is that —

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to make the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(4) The Chief Constable may make an application under this paragraph only in respect of a person —

(a) who lives in Northern Ireland, or

(b) who the Chief Constable believes is in, or is intending to come to, Northern Ireland.

(5) An application under this paragraph is to be made by complaint.

(6) The acts of the defendant which may be relied on for the purposes of sub-paragraph (2)(b) include acts taking place before this Schedule comes into operation.

(7) The Department may by order provide that an application under this paragraph may be made by a person or body specified in the order (as well as by the Chief Constable); and such an order may make such consequential amendments to this Schedule as the Department thinks necessary or expedient.

Article IX. *Meaning of "relevant offender"*

3.—(1) A person is a "relevant offender" for the purposes of paragraph 2 if sub- paragraph (2) or (3) applies to the person.

(2) This sub-paragraph applies to a person if —

(a) the person has been convicted of a slavery or human trafficking offence,

(b) a court has made a finding that the person is not guilty of a slavery or human trafficking offence by reason of insanity,

(c) a court has made a finding that the person is unfit to be tried and has done the act charged against the person in respect of a slavery or human trafficking offence, or

(d) the person has been cautioned in respect of a slavery or human trafficking offence.

(3) This sub-paragraph applies to a person if, under the law of a country outside the United Kingdom —

(a) the person has been convicted of an equivalent offence (whether or not the person has been punished for it),

(b) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is not guilty by reason of insanity,

(c) a court has made, in relation to an equivalent offence, a finding equivalent to a finding that the person is unfit to be tried and has done the act charged against the person, or

(d) the person has been cautioned in respect of an equivalent offence.

(4) An "equivalent offence" means an act which —

(a) constituted an offence under the law of the country concerned, and

(b) would have constituted a slavery or human trafficking offence under the law of Northern Ireland if it had been done in Northern Ireland, or by a UK national, or as regards the United Kingdom.

(5) For the purposes of sub-paragraph (4) an act punishable under the law of a country outside the United Kingdom constitutes an offence under that law, however it is described in that law.

(6) On an application under paragraph 2 where sub-paragraph (3) is alleged to apply to the defendant, the condition in sub-paragraph (4)(b) is to be taken as met unless —

(a) not later than provided by magistrates' court rules, the defendant serves on the Chief Constable a notice which states that in the defendant's opinion the condition is not met, shows the grounds for that opinion, and requires the Chief Constable to prove that the condition is met, or

(b) the court permits the defendant to require the Chief Constable to prove that the condition is met without service of such a notice.

(7) References in this paragraph to convictions, findings and cautions include those taking place before this paragraph comes into operation.

Article X. *Effect of slavery and trafficking prevention orders*

4.—(1) A slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(2) The only prohibitions or requirements that may be included in the order are those which the court is satisfied are necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.

(3) Subject to paragraph 5(1), a prohibition or requirement contained in a slavery and trafficking prevention order has effect —

(a) for a fixed period, specified in the order, of at least 5 years, or

(b) until further order.

(4) A slavery and trafficking prevention order —

(a) may specify that some of its prohibitions or requirements have effect until further order and some for a fixed period;

(b) may specify different periods for different prohibitions or requirements.

(5) If a court makes a slavery and trafficking prevention order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.

Article XI. *Prohibitions on foreign travel*

5.—(1) A prohibition on foreign travel contained in a slavery and trafficking prevention order must be for a fixed period of not more than 5 years.

(2) A "prohibition on foreign travel" means —

(a) a prohibition on travelling to any country outside the United Kingdom named or described in the order,

(b) a prohibition on travelling to any country outside the United Kingdom other than a country named or described in the order, or

(c) a prohibition on travelling to any country outside the United Kingdom.

(3) Sub-paragraph (1) does not prevent a prohibition on foreign travel from being extended for a further period (of no more than 5 years each time) under paragraph 6.

(4) A slavery and trafficking prevention order that contains a prohibition within sub-paragraph (2)(c) must require the defendant to surrender all of the defendant's passports at a police station specified in the order —

(a) on or before the date when the prohibition takes effect, or

(b) within a period specified in the order.

(5) Any passports surrendered must be returned as soon as reasonably practicable after the person ceases to be subject to a slavery and trafficking prevention order containing a prohibition within sub-paragraph (2)(c).

(6) Sub-paragraph (5) does not apply in relation to —

(a) a passport issued by or on behalf of the authorities of a country outside the United Kingdom if the passport has been returned to those authorities;

(b) a passport issued by or on behalf of an international organisation if the passport has been returned to that organisation.

Article XII. *Variation, renewal and discharge*

6.—(1) A person within sub-paragraph (2) may apply to the appropriate court for an order varying, renewing or discharging a slavery and trafficking prevention order.

(2) The persons are —

(a) the defendant;

(b) the Chief Constable.

(3) On the application the court, after hearing —

(a) the person making the application, and

(b) the other person mentioned in sub-paragraph (2) (if that person wishes to be heard),

may make any order varying, renewing or discharging the slavery and trafficking prevention order that the court considers appropriate.

(4) An order may be renewed, or varied so as to impose additional prohibitions or requirements on the defendant, only if the court is satisfied that —

(a) there is a risk that the defendant may commit a slavery or human trafficking offence; and

(b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5) Any renewed or varied order may contain only those prohibitions or requirements which the court is satisfied are necessary for that purpose.

(6) The court must not discharge an order before the end of 5 years beginning with the day on which the order was made, without the consent of the defendant and the Chief Constable.

(7) Sub-paragraph (6) does not apply to an order containing a prohibition on foreign travel and no other prohibitions.

(8) In this paragraph "the appropriate court" means —

(a) where the Crown Court or the Court of Appeal made the slavery and trafficking prevention order, the Crown Court;

(b) in any other case, a court of summary jurisdiction.

(9) An application under sub-paragraph (1) may be made —

(a) where the appropriate court is the Crown Court, in accordance with Crown Court rules;

(b) in any other case, by complaint.

Article XIII. *Interim slavery and trafficking prevention orders*

7.—(1) This paragraph applies where an application under paragraph 2 ("the main application") has not been determined.

(2) An application for an "interim slavery and trafficking prevention order —

(a) may be made by the complaint by which the main application is made, or

(b) if the main application has been made, may be made by the person who has made that application, by complaint to the court to which that application has been made.

(3) The court may, if it considers it just to do so, make an interim slavery and trafficking prevention order.

(4) An interim slavery and trafficking prevention order is an order prohibiting the defendant from doing anything described in the order or requiring the defendant to do anything described in the order (or both).

(5) The order —

(a) has effect only for a fixed period, specified in the order;

(b) ceases to have effect, if it has not already done so, on the determination of the main application.

(6) The applicant or the defendant may by complaint apply to the court that made the interim slavery and trafficking prevention order for the order to be varied, renewed or discharged.

Article XIV. *Appeals*

8.—(1) A defendant may appeal against the making of a slavery and trafficking prevention order —

(a) where the order was made under paragraph 1(1)(a), as if the order were a sentence passed on the defendant for the offence;

(b) where the order was made under paragraph 1(1)(b) or (c), as if the defendant had been convicted of the offence and the order were a sentence passed on the defendant for that offence;

(c) where the order was made on an application under paragraph 2, to the county court.

(2) A defendant may appeal to the county court against the making of an interim slavery and trafficking prevention order.

(3) A defendant may appeal against the making of an order under paragraph 6, or the refusal to make such an order —

(a) where the application for such an order was made to the Crown Court, to the Court of Appeal;

(b) in any other case, to the county court.

(4) On an appeal under sub-paragraph (1)(c), (2) or (3)(b), the county court may make such orders as may be necessary to give effect to its determination of the appeal, and may also make such incidental or consequential orders as appear to it to be just.

(5) Any order made by the county court on an appeal under sub-paragraph (1)(c) or (2) is for the purposes of paragraph 6(8) or 7(6) (respectively) to be treated as if it were an order of the court from which the appeal was brought.

(6) Sub-paragraph (5) does not apply to an order directing that an application be reheard by a court of summary jurisdiction.

PART 2

NOTIFICATION REQUIREMENTS

Article XV. *Offender subject to notification requirements*

9.—(1) References in the following provisions of this Schedule to an offender subject to notification requirements are references to an offender who is for the time being subject to a slavery and trafficking prevention order or an interim slavery and trafficking prevention order which is in effect under this Schedule.

(2) Sub-paragraph (1) has effect subject to paragraph 12(7) (which excludes from paragraph 12 an offender subject to an interim slavery and trafficking prevention order).

Article XVI. *Initial notification*

10.—(1) An offender subject to notification requirements must notify the required information to the police within the period of 3 days beginning with the date on which the slavery and trafficking prevention order or the interim slavery and trafficking prevention order comes into force in relation to the offender ("the relevant date").

(2) The "required information" is the following information about the offender —

(a) date of birth;

(b) national insurance number;

(c) name on the relevant date or, if the offender used two or more names on that date, each of those names;

(d) home address on the relevant date;

(e) name on the date on which the notification is given or, if the offender used two or more names on that date, each of those names;

(f) home address on the date on which the notification is given;

(g) the address of any other premises in the United Kingdom at which on that date the offender regularly resides or stays;

(h) any information prescribed by regulations made by the Department.

(3) When determining the period of 3 days mentioned in sub-paragraph (1), there is to be disregarded any time when the offender is —

(a) remanded in or committed to custody by an order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(4) In this Part "home address" means in relation to the offender —

(a) the address of the offender's sole or main residence in the United Kingdom, or

(b) if the offender has no such residence, the address or location of a place in the United Kingdom where the offender can regularly be

found or, if there is more than one such place, such one of them as the offender selects.

Article XVII. *Notification of changes*

11.—(1) An offender subject to notification requirements must, within the period of 3 days beginning with the date on which any notifiable event occurs, notify to the police —

(a) the required new information, and

(b) the information mentioned in paragraph 10(2).

(2) A "notifiable event" means —

(a) the use by the offender of a name which has not been notified to the police under paragraph 10 or this paragraph;

(b) any change of the offender's home address;

(c) the expiry of any qualifying period during which the offender has resided or stayed at any premises in the United Kingdom the address of which has not been notified to the police under paragraph 10 or this paragraph;

(d) any prescribed change of circumstances; or

(e) the release of the offender from custody pursuant to an order of a court or from a custodial sentence or detention in a hospital.

(3) The "required new information" is —

(a) the name referred to in sub-paragraph (2)(a),

(b) the new home address (see sub-paragraph (2)(b)),

(c) the address of the premises referred to in sub-paragraph (2)(c),

(d) the prescribed details, or

(e) the fact that the offender has been released as mentioned in sub-paragraph (2)(e),

as the case may be.

(4) A notification under sub-paragraph (1) may be given before the notifiable event occurs, but in that case the offender must also specify the date when the event is expected to occur.

(5) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates occurs more than 2 days before the date specified, the notification does not affect the duty imposed by sub-paragraph (1).

(6) If a notification is given in accordance with sub-paragraph (4) and the event to which it relates has not occurred by the end of the period of 3 days beginning with the date specified —

(a) the notification does not affect the duty imposed by sub-paragraph (1), and

(b) the offender must, within the period of 6 days beginning with the date specified, notify to the police the fact that the event did not occur within the period of 3 days beginning with the date specified.

(7) Paragraph 10(3) applies to the determination of —

(a) any period of 3 days for the purposes of sub-paragraph (1), or

(b) any period of 6 days for the purposes of sub-paragraph (6),

as it applies to the determination of the period of 3 days mentioned in paragraph 10(1).

(8) In this paragraph —

(a) "prescribed change of circumstances" means any change —

(i) occurring in relation to any matter in respect of which information is required to be notified by virtue of paragraph 10(2)(h), and

(ii) of a description prescribed by regulations made by the Department;

(b) "the prescribed details", in relation to a prescribed change of circumstances, means such details of the change as may be so prescribed.

(9) In this paragraph "qualifying period" means —

(a) a period of 7 days, or

(b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

Article XVIII. *Periodic notification*

12.—(1) An offender subject to notification requirements must, within the applicable period after each notification date, notify to the police the information mentioned in paragraph 10(2), unless the offender has already given a notification under paragraph 11(1) within that period.

(2) A "notification date" means, in relation to the offender, the date of any notification given by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1).

(3) Where the applicable period would (apart from this paragraph) end while sub-paragraph (4) applies, that period is to be treated as continuing until the end of the period of 3 days beginning with the date on which sub-paragraph (4) first ceases to apply.

(4) This sub-paragraph applies if the offender is —

(a) remanded in or committed to custody by an order of a court,

(b) serving a custodial sentence,

(c) detained in a hospital, or

(d) outside the United Kingdom.

(5) In this paragraph "the applicable period" means —

(a) in any case where sub-paragraph (6) applies, such period as may be prescribed by regulations made by the Department, and

(b) in any other case, the period of one year.

(6) This sub-paragraph applies if the last home address notified by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1) was the address or location of such a place as is mentioned in paragraph 10(4)(b).

(7) Nothing in this paragraph applies to an offender who is subject to an interim slavery and trafficking prevention order.

Article XIX. *Absence from notified residence*

13.—(1) This paragraph applies to an offender subject to notification requirements at any time if the last home address notified by the offender under paragraph 10(1), 11(1) or 12(1) was an address in Northern Ireland such as is mentioned in paragraph 10(4)(a) (sole or main residence).

(2) If the offender intends to be absent from that home address for a period of more than 3 days ("the relevant period"), the offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in sub-paragraph (3).

(3) The information is —

(a) the date on which the offender will leave that home address;

(b) such details as the offender holds about —

(i) the offender's travel arrangements during the relevant period;

(ii) the offender's accommodation arrangements during that period;

(iii) the offender's date of return to that address.

(4) In this paragraph —

"travel arrangements" include, in particular, the means of transport to be used and the dates of travel,

"accommodation arrangements" include, in particular, the address of any accommodation at which the relevant offender will spend the night during the relevant period and the nature of that accommodation.

(5) Where —

(a) an offender has given a notification under sub-paragraph (2), and

(b) at any time before that mentioned in that sub-paragraph, the information notified becomes inaccurate or incomplete,

the offender must give a further notification under sub-paragraph (2).

(6) Where an offender —

(a) has notified a date of return to the offender's home address, but

(b) returns to that home address on a date other than that notified,

the offender must notify the date of the offender's actual return to the police within 3 days of the actual return.

(7) Nothing in this paragraph requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under paragraph 14.

(8) In calculating the relevant period for the purposes of this paragraph there is to be disregarded —

(a)any period or periods which the offender intends to spend at, or travelling directly to or from, an address of the kind mentioned in paragraph 10(2)(g) notified to the police under paragraph 10(1), 11(1) or 12(1);

(b)any period or periods which the offender intends to spend at, or travelling directly to or from, any premises, if his stay at those premises would give rise to a requirement to notify the address of those premises under paragraph 11(2)(c).

Article XX. *Travel outside the United Kingdom*

14.—(1) The Department may by regulations make provision with respect to offenders subject to notification requirements, or any description of such offenders —

(a) requiring such persons, before they leave the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (2);

(b) requiring such persons, if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (3).

(2) A notification under this paragraph must disclose —

(a) the date on which the offender proposes to leave the United Kingdom;

(b) the country (or, if there is more than one, the first country) to which the offender proposes to travel and the proposed point of arrival (determined in accordance with the regulations) in that country;

(c) any other information prescribed by the regulations which the offender holds about the offender's departure from or return to the United

Kingdom, or about the offender's movements while outside the United Kingdom.

(3) A notification under this sub-paragraph must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

Article XXI. *Method of notification and related matters*

15.—(1) An offender gives a notification to the police under paragraph 10(1), 11(1), 12(1) or 13(2) or (6) by —

(a) attending at any police station in Northern Ireland prescribed by regulations under section 87(1)(a) of the Sexual Offences Act 2003, and

(b) giving an oral notification to any police officer, or to any person authorised for the purpose by the officer in charge of the station.

(2) Any notification given in accordance with this paragraph must be acknowledged; and the acknowledgement must be —

(a) in writing, and

(b) in such form as the Department may direct.

(3) Where a notification is given under paragraph 10(1), 11(1), 12(1) or 13(2) or (6), the offender must, if requested to do so by the police officer or other person mentioned in paragraph (1)(b), allow that officer or person to —

(a) take the offender's fingerprints,

(b) photograph any part of the offender, or

(c) do both of those things,

in order to verify the offender's identity.

(4) Fingerprints taken from a person under this paragraph (and any copies of those fingerprints) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(5) Photographs taken of any part of the offender under this paragraph (and any copies of such photographs) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(6) In this paragraph "photograph" includes any process by means of which an image may be produced.

PART 3

SUPPLEMENTARY

Article XXII. *Offences*

16.—(1) A person who, without reasonable excuse, fails to comply with any prohibition or requirement contained in —

(a) a slavery and trafficking prevention order, or

(b) an interim slavery and trafficking prevention order,

commits an offence.

(2) A person who, without reasonable excuse, fails to comply with —

(a) paragraph 10(1), 11(1) or (6)(b), 12(1), 13(2) or (6) or 15(3), or

(b) any requirement imposed by regulations made under paragraph 14(1),

commits an offence.

(3) A person who notifies to the police, in purported compliance with —

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

any information which the person knows to be false, commits an offence.

(4) As regards an offence under sub-paragraph (2), so far as it relates to non-compliance with —

(a) paragraph 10(1), 11(1), 12(1) or 13(2) or (6), or

(b) any requirement imposed by regulations made under paragraph 14(1),

a person commits such an offence on the first day on which the person first fails, without reasonable excuse, to comply with the provision mentioned in paragraph (a) or (as the case may be) the requirement mentioned in paragraph (b), and continues to commit it throughout any period during which the failure continues.

(5) But a person must not be prosecuted under sub-paragraph (2) more than once in respect of the same failure.

(6) A person guilty of an offence under this paragraph is liable —

(a) on conviction on indictment, to imprisonment for a term not exceeding 5 years;

(b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.

(7) Where a person is convicted of an offence under this paragraph, it is not open to the court by or before which the person is convicted to

make an order for conditional discharge in respect of the offence.

Article XXIII. *Cross-border enforcement within UK*

17.—(1) The Department may by order amend paragraph 16(1) so as to add to or remove from the list of orders in that paragraph any relevant UK order.

(2) "Relevant UK order" means an order under the law of Scotland or England and Wales which appears to the Department to be equivalent or similar to —

(a) a slavery and trafficking prevention order,

(b) an interim slavery and trafficking prevention order.

Article XXIV. *Supply of information to relevant Northern Ireland departments, Secretary of State, the Commissioners, etc.*

18.—(1) This paragraph applies to information notified to the police under paragraph 10(1), 11(1) or 12(1).

(2) The Chief Constable may, for the purposes of the prevention, detection, investigation or prosecution of offences under this Schedule, supply information to which this paragraph applies to —

(a) a relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners,

(d) a person providing services to a relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with a relevant function,

for use for the purpose of verifying the information.

(3) In relation to information supplied to any person under sub-paragraph (2), the reference to verifying the information is a reference to —

(a) checking its accuracy by comparing it with information held —

(i) in the case of a relevant Northern Ireland department, the Secretary of State or the Commissioners by that department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(ii) in the case of a person within sub-paragraph (2)(d), by that person in connection with the provision of services as mentioned there, and

(b) compiling a report of that comparison.

(4) Subject to sub-paragraph (5), the supply of information under this paragraph is to be taken not to breach any restriction on the disclosure of information (however arising).

(5) This paragraph does not authorise the doing of anything that contravenes the Data Protection Act 1998.

(6) This paragraph does not affect any power to supply information that exists apart from this paragraph.

(7) In this paragraph —

"the Commissioners" means Her Majesty's Commissioners for Revenue and Customs;

"relevant Northern Ireland department" means the Department for Employment and Learning, the Department of the Environment, the Department of Health, Social Services and Public Safety or the Department for Social Development;

"relevant function" means —

(a) in relation to the Department for Employment and Learning, a function relating to employment or training,

(b) in relation to the Department of the Environment, a function under Part 2 of the Road Traffic (Northern Ireland) Order 1981;

(c) in relation to the Department of Health, Social Services and Public Safety, a function relating to health or social care;

(d) in relation to the Department for Social Development, a function relating to social security or child support;

(e) in relation to the Secretary of State, a function relating to passports or the Gangmasters Licensing Authority;

(f) in relation to the Commissioners, any of their functions.

Article XXV. *Supply of information by relevant Northern Ireland departments, Secretary of State, the Commissioners, etc.*

19.—(1) A report compiled under paragraph 18 may be supplied to the Chief Constable by —

(a) the relevant Northern Ireland department,

(b) the Secretary of State,

(c) the Commissioners, or

(d) a person within paragraph 18(2)(d).

(2) Such a report may contain any information held —

(a) by the relevant Northern Ireland department, the Secretary of State or the Commissioners in connection with the exercise of a relevant function, or

(b) by a person within paragraph 18(2)(d) in connection with the provision of services as mentioned there.

(3) Where such a report contains information within sub-paragraph (2), the Chief Constable —

(a) may retain the information, whether or not used for the purposes of the prevention, detection, investigation or prosecution of offences under this Part, and

(b) may use the information for any purpose related to the prevention, detection, investigation or prosecution of offences (whether or not under this Part), but for no other purpose.

(4) Sub-paragraphs (4) to (7) of paragraph 18 apply in relation to this paragraph as they apply in relation to paragraph 18.

Article XXVI. *Information about release or transfer of offender*

20.—(1) This paragraph applies to an offender subject to notification requirements who is —

(a) serving a custodial sentence; or

(b) detained in a hospital.

(2) The Department may by regulations make provision requiring the person who is responsible for such an offender to give notice to specified persons —

(a) of the fact that that person has become responsible for the offender; and

(b) of any occasion when —

(i) the offender is released, or

(ii) a different person is to become responsible for the offender.

(3) In sub-paragraph (2) "specified persons" means persons specified, or of a description specified, in the regulations.

(4) The regulations may make provision for determining who is to be taken for the purposes of this paragraph as being responsible for an offender.

Article XXVII. *Power of entry and search of offender's home address*

21.—(1) If, on an application made by a police officer of the rank of superintendent or above, a lay magistrate is satisfied that the requirements in sub-paragraph (2) are met in relation to any premises, the lay magistrate may issue a warrant authorising a constable —

(a) to enter the premises for the purpose of assessing the risks posed by the offender subject to notification requirements to whom the warrant relates; and

(b) to search the premises for that purpose.

(2) The requirements are —

(a) that the address of each set of premises specified in the application is an address falling within sub-paragraph (3);

(b) that the offender is not one to whom sub-paragraph (4) applies;

(c) that it is necessary for a constable to enter and search the premises for the purpose mentioned in sub-paragraph (1)(a); and

(d) that on at least two occasions a constable has sought entry to the premises in order to search them for that purpose and has been unable to obtain entry for that purpose.

(3) An address falls within this sub-paragraph if —

(a) it is the address which was last notified in accordance with this Schedule by the offender to the police as the offender's home address; or

(b) there are reasonable grounds to believe that the offender resides there or may regularly be found there.

(4) This sub-paragraph applies to an offender if the offender is —

(a) remanded in or committed to custody by order of a court;

(b) serving a custodial sentence;

(c) detained in a hospital; or

(d) outside the United Kingdom.

(5) A warrant issued under this paragraph must specify the one or more sets of premises to which it relates.

(6) The warrant may authorise the constable executing it to use reasonable force if necessary to enter and search the premises.

(7) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the lay magistrate is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose mentioned in sub-paragraph (1)(a).

(8) Where a warrant issued under this paragraph authorises multiple entries, the number of entries authorised may be unlimited or limited to a maximum.

(9) In this paragraph a reference to the offender subject to notification requirements to whom the warrant relates is a reference to the offender —

(a) who has in accordance with this Schedule notified the police that the premises specified in the warrant are the offender's home address; or

(b) in respect of whom there are reasonable grounds to believe that the offender resides there or may regularly be found there.

Article XXVIII. *Guidance*

22.—(1) The Department must issue guidance to the Chief Constable in relation to the exercise of the powers of the Chief Constable under this Schedule.

(2) The Department may, from time to time, revise the guidance issued under sub-paragraph (1).

(3) The Department must arrange for any guidance issued or revised under this paragraph to be published in a way the Department considers appropriate.

Article XXIX. *Interpretation of this Schedule*

23.—(1) In this Schedule —

"cautioned" means cautioned after the person concerned has admitted the offence;

"custodial sentence" means —

(a) a sentence of imprisonment,

(b) a sentence of detention in a young offenders centre;

(c) a sentence of detention under Article 13(4)(b) or 14(5) of the Criminal Justice (Northern Ireland) Order 2008;

(d) a sentence of detention under Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998;

(e) an order under Article 39A of that Order sending the offender to a juvenile justice centre;

(f) any other sentence under which a person is detained in custody;

"detained in a hospital" means detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986;

"home address" has the meaning given by paragraph 10(4);

"interim slavery and trafficking prevention order" means an order under paragraph 7;

"slavery and trafficking prevention order" means an order under paragraph 1 or 2;

"slavery or human trafficking offence" has the meaning given by paragraph 1(4).

(2) In this Schedule "passport" means —

(a) United Kingdom passport within the meaning of the Immigration Act 1971;

(b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;

(c) a document that can be used (in some or all circumstances) instead of a passport.

(3) In this Schedule a reference to a conviction includes a conviction for an offence in respect of which an order for conditional discharge is made, despite —

(a) Article 6(1) of the Criminal Justice (Northern Ireland) Order 1996 (conviction with conditional discharge deemed not to be a conviction), or

(b) section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (equivalent provision for England and Wales).

(4) Sub-paragraph (3) applies only to convictions after this Schedule comes into operation.

(5) In this Schedule a reference to a conviction includes a finding of a court in summary proceedings that the accused did the act charged, where the court makes an order under —

(a) Article 44(4) of the Mental Health (Northern Ireland) Order 1986;

(b) section 37(3) of the Mental Health Act 1983, or

(c) section 58(3) of the Criminal Procedure (Scotland) Act 1995,

(hospital and guardianship orders).

(6) In relation to an offence under the law of Scotland, a reference in this Schedule to a person being found not guilty by reason of insanity is to be treated as a reference to a person being acquitted by reason of the special defence in section 51A of the Criminal Procedure (Scotland) Act 1995.

(7) References in this Schedule to an offender subject to notification requirements are to be read in accordance with paragraph 9.

(8) In this Schedule, a reference to a finding that a person is unfit to be tried and has done the act charged against the person in respect of an offence includes a finding that a person is under a disability or insane and has done the act charged against the person in respect of an offence.

(9) A person's age is to be treated for the purposes of this Schedule as being that which it appears to the court to be after considering any available evidence.*'*

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 63 *[Made without division]*

New Schedule

After clause 19 insert -

'SCHEDULE 4

3) MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS RELATING TO OFFENCES UNDER SECTION 1A OR 1B

Article XXX. *The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)*

1. In Schedule 1 (offences against children and young persons to which special provisions of the Act apply) at the end add —

"An offence against a child or young person under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or any attempt to commit such an offence.".

Article XXXI. *The Immigration Act 1971 (c. 77)*

2. In section 25C (forfeiture of vehicle, ship or aircraft) in subsections (9)(b), (10)(b) and (11) for the words from "a passenger" to the end substitute "the victim of conduct which constitutes an offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland 2014".

Article XXXII. *The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)*

3. In Article 53A(2) (questioning and treatment of persons by police: meaning of "qualifying offence") at the end add —

"(t) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014.".

The Sexual Offences (Amendment) Act 1992 (c. 34)

4. In section 2(3) (offences under law of Northern Ireland to which the Act applies) —

(a) after paragraph (hb) insert —

"(hc) any offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014;";

(b) in paragraph (i) for "(hb)" substitute "(hc)".

Article XXXIII. *The Sexual Offences Act 2003 (c. 42)*

5. In Schedule 5 (relevant offences for purposes of notification and orders) after paragraph 171B insert —

"171C. An offence under section 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

Article XXXIV. *The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

6. In section 14(2) (immigration officers' power of arrest) after paragraph (q) insert —

"(r) an offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

Article XXXV. *The Serious Crime Act 2007 (c. 27)*

7. In paragraph 18 of Part 2 of Schedule 1 (serious offences in Northern Ireland) at the end

add —

"(4) An offence under section 1A or 1B of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

PART 2

AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

Article XXXVI. *The Criminal Justice (Northern Ireland) Order 1994 (NI 15)*

8. In Article 16(a) (review of compensation orders) for the words from "a confiscation order" to the end substitute "either or both of the following made against him in the same proceedings —

(i) a confiscation order under Part 4 of the Proceeds of Crime Act 2002;

(ii) a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014; or".

Article XXXVII. *The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)*

9. In paragraph 2 of Schedule 1 (exempted payments) for "1994 or" substitute "1994, Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or".

Article XXXVIII. *The Criminal Justice (Northern Ireland) Order 1996 (NI 24)*

10. In Article 4(5) (absolute and conditional discharge) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

11. In Article 13(11) (community service order) at the end insert "or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014."

Article XXXIX. *The Proceeds of Crime Act 2002 (c. 29)*

12.—(1) Section 163 (effect of confiscation order on court's other powers) is amended as follows.

(2) In subsection (3)(a) at the end add "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders)".

(3) In subsection (5) —

(a) in paragraph (a) for "both a confiscation order and" substitute "a confiscation order and one or both of" and after "1994 (SI 1994/2795 (N.I. 15)" insert "and a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014,";

(b) in paragraph (b) for "both the orders" substitute "all the orders".

(4) In subsection (6) (priorities of confiscation orders and other orders) for the words from "of the compensation" to "as it specifies" substitute "as it specifies of the amount (or amounts) payable under the other order (or orders) mentioned in subsection (5)(a)".

13. In section 182(7)(b) (court's powers on appeal) at the end insert "so far as they relate to such orders".

14. In section 183(9)(b) (appeal to Supreme Court) at the end insert "so far as they relate to such orders".

15. In section 205(5) (application of sums received under confiscation order to pay compensation) for the words "of compensation" substitute "payable under any other order (or orders)".

16. In section 308 (general exceptions to concept of recoverable property) after subsection (4) insert —

"(4A) If —

(a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014, and

(b) apart from this subsection, the sum received would be recoverable property,

the property ceases to be recoverable.".

Article XL. *The Recovery of Health Service Charges (Northern Ireland) Order 2006 (NI 13)*

17. In paragraph 1 of Schedule 1 (recovery of health care charges: exemptions) —

(a) omit "or" at the end of sub-paragraph (b);

(b) after sub-paragraph (c) insert —

"(d) Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 (slavery and trafficking reparation orders).".

Article XLI. *The Justice (Northern Ireland) Act 2012 (c. 24)*

18. In section 1(5) (offender levy) after "1994 (NI 15)" insert "or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2014 or both" and for "appropriate compensation" substitute "and appropriate amounts under such of those orders as it would be appropriate to make".'

Minister of Justice

The Lord Morrow of Clogher Valley

Amendment 64 *[Made without division]*

New Schedule

After clause 19 insert -

'SCHEDULE 5

4) Repeals

Article XLII.

Short Title	Extent of Repeal
The Children and Young Persons Act (Northern Ireland) 1968 (c. 38)	In Schedule 1 the entry relating to an offence under any of sections 57 to 59 of the Sexual Offences Act 2003.
The Sexual Offences (Amendment) Act 1992 (c.34)	In section 2(3)(ha) the words "57 to 59".
The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)	Article 3(1)(ga).
The Proceeds of Crime Act 2002 (c. 29)	In Schedule 5, paragraph 4(2) and (3).
The Sexual Offences Act 2003 (c. 42)	Sections 57 to 60C. In section 142(2) the words "57 to 60C". In Schedule 5, paragraph 171. In Schedule 6, paragraphs 42(2) and (3)(a) and 46(4).
The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)	Section 4. Section 5(3) to (5), (9) and (10). Section 14(2)(n) and (p).
The Violent Crime Reduction Act 2006 (c.38)	Section 54. Schedule 4.
The Serious Crime Act 2007 (c.27)	In Schedule 1, paragraph 18(2) and (3).
The UK Borders Act 2007 (c. 30)	Section 31.
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	In Schedule 1 in paragraph 28 the entries for sections 57 to 59. In Part 2 of Schedule 2 in paragraph 13 the entries for sections 57 to 59.
The Sexual Offences (Northern Ireland) Order 2008 (NI 2)	In Article 66(2), sub-paragraph (b) and the word "or" immediately before it. In Schedule 1, paragraph 12(4)(h).
The Borders, Citizenship and Immigration Act 2009 (c.11)	Section 54.
The Coroners and Justice Act 2009 (c. 25)	Section 71.
The Criminal Justice Act (Northern Ireland) 2013 (c. 7)	Sections 6 to 8.

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Minister of Justice

The Lord Morrow of Clogher Valley

Northern Ireland Assembly

Papers Presented to the Assembly on 15 - 20 October 2014

1. Acts of the Northern Ireland Assembly

2. Bills of the Northern Ireland Assembly

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Northern Ireland Courts and Tribunals Service – Trust Statement 2012-13 (DOJ).

Department for Regional Development Resource Accounts 2013/14 (DFP).

Department of Agriculture and Rural Development Retention and Disposal Schedule (DCAL).

Inspection Report of the Safety of Prisoners held by the Northern Ireland Prison Service (DOJ).

5. Assembly Reports

6. Statutory Rules

For Information Only

S. R. 2014/260 The Parking and Waiting Restrictions (Banbridge) Order (Northern Ireland) 2014 (DRD).

7. Written Ministerial Statements

Going for Growth (DETI/DARD).

Joint statement by Interdepartmental Ministerial Group on Modern Slavery to mark Anti Slavery Day (DOJ).

8. Consultation Documents

Consultation on Adjustments to Sustainability and Reporting Provisions for Biomass (DETI).

9. Departmental Publications

Innovation Strategy for Northern Ireland 2014-2025 (DETI).

10. Agency Publications

Sickness Absence in the Northern Ireland Civil Service 2013/2014 (NISRA).

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 21 October 2014

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

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Executive Committee Business

2.1 Motion The draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014

Proposed:

That the draft Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014 be approved.

Minister of the Environment

Debate ensued.

The Question being put, the Motion, was **carried** without division.

2.2 Second Stage – Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16)

The Minister for Regional Development, Mr Danny Kennedy, moved the Second Stage of the Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16).

Debate ensued.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

The Off-street Parking (Functions of District Councils) Bill (NIA Bill 40/11-16) passed Second Stage without division.

2.3 Consideration Stage – Education Bill (NIA Bill 38/11-16)

A valid Petition of Concern was presented in relation to Amendments 1, 2, 5, 11 through to 15, 21 and 22 under Standing Order 28, on Monday 20th October March 2014 (Appendix 1).

The Minister of Education, moved the Consideration Stage of the Education Bill (NIA Bill 38/11-16).

22 amendments were tabled to the Bill.

Debate ensued.

Clause

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

The sitting was suspended at 12.34pm.

The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.

3. Question Time

3.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

3.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

4. Executive Committee Business

4.1 Consideration Stage – Education Bill (NIA Bill 38/11-16)

Debate resumed on the Bill.

The Deputy Speaker (Mr Beggs) took the Chair

Clauses

After debate, Amendment 1 to Clause 2 was **negatived** on division on a cross-community vote (Division 1).

After debate, Amendment 2 to Clause 2 was **negatived** on division on a cross-community vote (Division 2).

After debate, Amendment 3 to Clause 2 was **made** without division.

After debate, Amendment 4 to Clause 2 was **made** without division.

After debate, Amendment 5 to Clause 2 was **negatived** on division on a cross-community vote (Division 3).

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

After debate, Amendment 6 inserting new Clause 3A was **negatived** without division.

After debate, Amendment 7 inserting new Clause 3B was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 8 to Clause 4 was **made** without division.

The question being put, it was **agreed** without division that Clause 4, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 5 and 6 stand part of the Bill.

Schedules

The Deputy Speaker (Mr Dallat) took the Chair.

After debate, Amendment 9 to Schedule 1 was **made** without division.

After debate, Amendment 10 to Schedule 1 was **negatived** on division (Division 4).

After debate, Amendment 11 to Schedule 1 was not moved.

After debate, Amendment 12 to Schedule 1 was **negatived** on division on a cross-community vote (Division 5).

After debate, Amendment 13 to Schedule 1 was not moved.

After debate, Amendment 14 to Schedule 1 was not moved.

As Amendment 14 was not moved, Amendment 15 was not called.

After debate, Amendment 16 to Schedule 1 was not moved.

After debate, Amendment 17 to Schedule 1 was **negatived** without division.

After debate, Amendment 18 to Schedule 1 was **made** on division (Division 6).

The Deputy Speaker (Mr Beggs) took the Chair.

After debate, Amendment 19 to Schedule 1 was **made** without division.

After debate, Amendment 20 to Schedule 1 was **made** without division.

After debate, Amendment 21 to Schedule 1 was **negatived** on division on a cross-community vote (Division 7).

The question being put, it was **agreed** without division that Schedule 1 as amended stand part of the Bill.

After debate, Amendment 22 to Schedule 2 was **negatived** on division on a cross-community vote (Division 8).

The question being put, it was **agreed** without division that Schedule 2 stand part of the Bill.

The question being put, it was **agreed** without division that Schedule 3 and 4 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 38/11-15 stood referred to the Speaker.

5. Adjournment

Proposed:

That the Assembly do now adjourn.

Deputy Speaker

The Assembly adjourned at 9.29pm

Mr John Dallat MLA
Deputy Speaker

21 October 2014

Appendix 1

Northern Ireland Assembly

The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Monday 20 October 2014 in relation to Amendments 1, 2, 5, 11, 12, 13, 14, 15, 21, 22 proposed to the Education Bill (NIA Bill 38/11-16)

- Mr Sydney Anderson
- Mr Jonathan Bell
- Ms Paula Bradley
- Mr Thomas Buchanan
- Mrs Pam Cameron
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mrs Arlene Foster
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Nelson McCausland
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- The Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr Edwin Poots
- Mr George Robinson
- Mr Peter Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells
- Mr Sammy Wilson

Northern Ireland Assembly

21 October 2014
Division 1

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 1

Proposed:

In page 1, line 11, at end insert

"(2A) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote integrated education.".

Mr T Lunn
Mr C Lyttle
Ms A Lo

The Question was put and the Assembly divided.

Ayes: 47
Noes: 46

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister, Ms Sugden.

Other

Mr Agnew, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lyttle and Mr McCarthy.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

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

Total votes	93	Total Ayes	47	[50.5%]
Nationalist Vote	38	Nationalist Ayes	38	[100.0%%]
Unionist Votes	48	Unionist Ayes	2	[4.2%]
Other Votes	7	Other Ayes	7	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

21 October 2014
Division 2

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 2

Proposed:

In page 1, line 11, at end insert

"(2B) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote Irish-medium education."

Mr T Lunn
Mr C Lyttle
Ms A Lo

The Question was put and the Assembly divided.

Ayes: 45
Noes: 47

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lyttle and Mr McCarthy.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

Total votes	92	Total Ayes	45	[48.9%]
Nationalist Vote	37	Nationalist Ayes	37	[100.0%%]
Unionist Votes	48	Unionist Ayes	1	[2.1%]
ther Votes	7	Other Ayes	7	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

21 October 2014
Division 3

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 5

Proposed:

In page 1, line 11, at end insert

"(2E) It shall be the duty of the Education Authority to encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils."

Mr S Agnew

The Question was put and the Assembly divided.

Ayes: 48
Noes: 47

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Agnew and Mr Lunn.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

Total votes	95	Total Ayes	48	[50.5%]
Nationalist Vote	39	Nationalist Ayes	39	[100.0%%]
Unionist Votes	48	Unionist Ayes	1	[2.1%]
Other Votes	8	Other Ayes	8	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

21 October 2014
Division 4

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 10

Proposed:

In page 3, line 17, leave out “8” and insert “10”.

Mr T Lunn
Mr C Lyttle
Ms A Lo

The Question was put and the Assembly divided.

Ayes: 32
Noes: 61

AYES

Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Ms Lo and Mr McCarthy.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

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

The Amendment fell.

Northern Ireland Assembly

21 October 2014
Division 5

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 12

Proposed:

In schedule 1, page 3, line 19, leave out (c) and insert

"(c) 13 persons appointed by the Department ("appointed members") of whom—

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(v) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.".

Mr C Hazzard
Mr P Sheehan
Ms M McLaughlin

The Question was put and the Assembly divided.

Ayes: 27
Noes: 47

AYES

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 McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Unionist

Mr McCallister.

Other

Mr Agnew.

Tellers for the Ayes: Mr Hazzard and Mr Sheehan.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice 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 I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

Tellers for the Noes: Mr Poots and Mr G Robinson.

Total votes	74	Total Ayes	27	[36.5%]
Nationalist Vote	25	Nationalist Ayes	25	[100.0%%]
Unionist Votes	48	Unionist Ayes	1	[2.1%]
Other Votes	1	Other Ayes	1	[100.0%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

21 October 2014
Division 6

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 18

Proposed:

In schedule 1, page 6, line 9, leave out sub-paragraphs (2) to (5) and insert

"(2) An interim chief executive of the Authority shall be appointed by the Department.

(3) Within one year of the date of the first meeting of the Authority, the Authority shall commence a process to appoint a permanent chief executive.

(4) Every subsequent chief executive shall be appointed by the Authority.

(5) The Authority shall not appoint a person as chief executive unless the Department approves the appointment.

(6) A person shall, so long as that person is, and for 12 months after ceasing to be, a member of the Authority, be disqualified for being an officer of the Authority."

Miss M McIlveen
Mr N McCausland

The Question was put and the Assembly divided.

Ayes: 59
Noes: 33

AYES

Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mr Byrne, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Ms Sugden, Mr Swann, Mr Weir.

Tellers for the Ayes: Mr McQuillan and Mr Poots.

NOES

Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, 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 McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr Hazzard and Mr Sheehan.

The Amendment was **made**.

Northern Ireland Assembly

21 October 2014
Division 7

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 21

Proposed:

Schedule 1, Page 9, Line 10

At end insert -

'Pay Policy statements

17A. The Education Authority must prepare a pay policy statement for the financial year 2015-16 and each subsequent financial year.

17B.—(1) A pay policy statement for a financial year must set out the Authority's policies for the financial year relating to—

(a) the remuneration of its chief officers,

(b) the remuneration of its lowest-paid employees, and

(c) the relationship between—

(i) the remuneration of its chief officers,

(ii) the remuneration of its employees who are not chief officers, and

(iii) the remuneration of its lowest-paid employees.

(2) The statement must state—

(a) the definition of "lowest-paid employees" adopted by the Authority for the purposes of the statement, and

(b) the Authority's reasons for adopting that definition.

(3) The statement must include the Authority's policies relating to—

(a) the level and elements of remuneration for each chief officer,

(b) remuneration of chief officers on recruitment,

(c) increases and additions to remuneration for each chief officer,

(d) the use of performance-related pay for chief officers,

(e) the use of bonuses for chief officers,

(f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the Authority, and

(g) the publication of and access to information relating to remuneration of chief officers.

(4) A pay policy statement for a financial year may also set out the Authority's policies for the financial year relating to the other terms and conditions applying to the Authority's chief officers.

17C.—(1) A relevant Authority's pay policy statement must be approved by the Authority before it comes into force.

(2) The first statement must be prepared and approved before the end of 31 March 2015.

(3) Each subsequent statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.

(4) The Authority may amend its pay policy statement (including after the beginning of the financial year to which it relates).

(5) As soon as is reasonably practicable after approving or amending a pay policy statement, the Authority must publish the statement or the amended statement in such manner as it thinks fit (which must include publication on the Authority's website).

17D. The Authority must, in performing its functions (above), have regard to any guidance issued or approved by the Education Minister.

17E.—(1) This section applies to a determination that—

(a) is made by a relevant authority in a financial year beginning on or after 1 April 2015 and

(b) relates to the remuneration of or other terms and conditions applying to a chief officer of the Authority.

(2) The relevant authority must comply with its pay policy statement for the financial year in making the determination.

(3) Any power to appoint officers and employees is subject to the requirement in subsection (2).'

Mr Steven Agnew

The Question was put and the Assembly divided.

Ayes: 25
Noes: 48

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey, Mr Rogers, Mr Sheehan.

Unionist

Ms Sugden.

Other

Mr Agnew.

Tellers for the Ayes: Mr Agnew and Mr McKinney.

NOES

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, 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 Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle.

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

Total votes	73	Total Ayes	25	[34.2%]
Nationalist Vote	23	Nationalist Ayes	23	[100.0%]
Unionist Votes	43	Unionist Ayes	1	[2.3%]
Other Votes	7	Other Ayes	1	[14.3%]

The Amendment **fell** on a cross-community vote.

Northern Ireland Assembly

21 October 2014
Division 8

Consideration Stage – Education Bill (NIA 38/11-16) – Amendment 22

Proposed:

Schedule 2, Page 10, Line 3

At end insert -

'Living Wage Accredited Employer

2A. The Education Authority must become a living wage accredited employer in accordance with the accreditation scheme administered by the Citizens UK Living Wage Foundation before the end of 31 March 2016.'

Mr Steven Agnew

The Question was put and the Assembly divided.

Ayes: 25
Noes: 48

AYES

Nationalist

Mr Attwood, Mr D Bradley, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey, Mr Rogers, Mr Sheehan.

Unionist

Ms Sugden.

Other

Mr Agnew.

Tellers for the Ayes: Mr Agnew and Mr McKinney.

NOES

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Maurice Devenney, Mrs Dobson, 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 Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Mr Lunn, Mr Lyttle.

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

Total votes	73	Total Ayes	25	[34.2%]
Nationalist Vote	23	Nationalist Ayes	23	[100.0%]
Unionist Votes	43	Unionist Ayes	1	[2.3%]
Other Votes	7	Other Ayes	1	[14.3%]

The Amendment **fell** on a cross-community vote.

Education Bill
Marshalled List of Amendments
Consideration Stage
Tuesday, 21 October 2014

Amendments tabled up to 9.30 am Thursday, 16 October 2014 and selected for debate

Amendment 1 *[Negatived on a cross community vote]*

Clause 2, Page 1, Line 11

At end insert -

'(2A) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote integrated education.'

Mr Trevor Lunn

Mr Chris Lyttle

Ms Anna Lo

Amendment 2 *[Negatived on a cross community vote]*

Clause 2, Page 1, Line 11

At end insert -

'(2B) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote Irish-medium education.'

Mr Trevor Lunn

Mr Chris Lyttle

Ms Anna Lo

Amendment 3 *[Made without division]*

Clause 2, Page 1, Line 11

At end insert -

'(2C) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote shared education.'

Mr John McCallister

Amendment 4 *[Made without division]*

Clause 2, Page 1, Line 11

At end insert -

'(2D) It shall be a duty of the Authority, when exercising its functions, to encourage, facilitate and promote the community use of school premises.'

Mr John McCallister

Amendment 5 *[Negatived on a cross community vote]*

Clause 2, Page 1, Line 11

At end insert -

'(2E) It shall be the duty of the Education Authority to encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils.'

Mr Steven Agnew

Amendment 6 *[Negatived without division]*

New Clause

After clause 3 insert -

'Grants to sectoral bodies

Grants to sectoral bodies

3A. The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of grant-aided schools of a particular description.*'*

Minister of Education

Amendment 7 *[Made without division]*

New Clause

After clause 3 insert -

'Funding of Sectoral Bodies

3B. The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of controlled schools, or any body which is recognised by the Department as representing grant-aided schools of any other particular description.*'*

Miss Michelle McIlveen

Mr Nelson McCausland

Amendment 8 *[Made without division]*

Clause 4, Page 2, Line 15

Leave out 'negative resolution' and insert 'affirmative resolution'

Mr Danny Kinahan

Mrs Sandra Overend

Amendment 9 *[Made without division]*

Schedule 1, Page 3, Line 16

After 'Department' insert 'on the basis of merit through a fair and open public competition'

Mr Danny Kinahan

Mrs Sandra Overend

Amendment 10 *[Negatived on division]*

Schedule 1, Page 3, Line 17

Leave out '8' and insert '10'

Mr Trevor Lunn

Mr Chris Lyttle

Ms Anna Lo

Amendment 11 *[Not moved]*

Schedule 1, Page 3, Line 19

Leave out (c) and insert -

'(c) 11 persons appointed by the Department ("appointed members") of whom —

(i) 3 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 2 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(v) 1 shall be a person appearing to the Department to represent the interests of grammar schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(vi) 3 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.'

Mr Trevor Lunn

Mr Chris Lyttle

Ms Anna Lo

Amendment 12 *[Negatived on a cross community vote]*

Schedule 1, Page 3, Line 19

Leave out (c) and insert -

'(c) 13 persons appointed by the Department ("appointed members") of whom —

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iv) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(v) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.'

Mr Chris Hazzard

Mr Pat Sheehan

Ms Maeve McLaughlin

Amendment 13 *[Not moved]*

Schedule 1, Page 3, Line 19

Leave out (c) and insert -

'(c) 12 persons appointed by the Department ("appointed members") of whom—

(i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(ii) 3 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(iv) 4 shall be persons appearing to the Department, so far as practicable, to be representative of the community in Northern Ireland.'

Mr Steven Agnew

Amendment 14 *[Not moved]*

Schedule 1, Page 3, Line 19

Leave out '11' and insert '15'

Mr Seán Rogers

Mr Dominic Bradley

Amendment 15 *[Not called]*

Schedule 1, Page 3, Line 30

At end insert -

'(iv) 2 shall be persons appearing to the Department to represent the interests of voluntary grammar schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;

(v) 1 shall be a person appearing to the Department to represent the interests of Irish-medium schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests; and

(vi) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests.'

Mr Seán Rogers

Mr Dominic Bradley

Amendment 16 *[Not moved]*

Schedule 1, Page 3, Line 30

At end insert -

'(d) No less than two of the persons so appointed under paragraph 2(c)(iii) shall be appointed by reason of their being teachers serving at the time of their appointment in grant-aided schools.'

Mr Danny Kinahan

Mrs Sandra Overend

Amendment 17 *[Negatived without division]*

Schedule 1, Page 4, Line 41

At end insert -

'(9A) A nominated person shall be for a specified period of not more than 8 years and on completion of this period the nominated person shall resign and the vacancy shall be filled by applying sub-paragraphs (3) to (8).

(9B) A nominated person who has resigned after completing the eight year period can be considered for nomination by a party nominating officer after a period of 4 years has passed since the date of their resignation.'

Mr John McCallister

Amendment 18 *[Made on division]*

Schedule 1, Page 6, Line 9

Leave out sub-paragraphs (2) to (5) and insert -

'(2) An interim chief executive of the Authority shall be appointed by the Department.

(3) Within one year of the date of the first meeting of the Authority, the Authority shall commence a process to appoint a permanent chief executive.

(4) Every subsequent chief executive shall be appointed by the Authority.

(5) The Authority shall not appoint a person as chief executive unless the Department approves the appointment.

(6) A person shall, so long as that person is, and for 12 months after ceasing to be, a member of the Authority, be disqualified for being an officer of the Authority.'

Miss Michelle McIlveen

Mr Nelson McCausland

Amendment 19 *[Made without division]*

Schedule 1, Page 6, Line 34

At end insert -

'(1A) The Authority will appoint a standing committee to encourage, facilitate and promote shared education.'

Mr John McCallister

Amendment 20 *[Made without division]*

Schedule 1, Page 6, Line 34

At end insert -

'(1B) The Authority will appoint a standing committee to encourage, facilitate and promote the community use of school premises.'

Mr John McCallister

Amendment 21 *[Negatived on a cross community vote]*

Schedule 1, Page 9, Line 10

At end insert -

'Pay Policy statements

17A. The Education Authority must prepare a pay policy statement for the financial year 2015-16 and each subsequent financial year.

17B.—(1) A pay policy statement for a financial year must set out the Authority's policies for the financial year relating to —

(a) the remuneration of its chief officers,

(b) the remuneration of its lowest-paid employees, and

(c) the relationship between —

(i) the remuneration of its chief officers,

(ii) the remuneration of its employees who are not chief officers, and

(iii) the remuneration of its lowest-paid employees.

(2) The statement must state —

(a) the definition of "lowest-paid employees" adopted by the Authority for the purposes of the statement, and

(b) the Authority's reasons for adopting that definition.

(3) The statement must include the Authority's policies relating to—

(a) the level and elements of remuneration for each chief officer,

(b) remuneration of chief officers on recruitment,

(c) increases and additions to remuneration for each chief officer,

(d) the use of performance-related pay for chief officers,

(e) the use of bonuses for chief officers,

(f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the Authority, and

(g) the publication of and access to information relating to remuneration of chief officers.

(4) A pay policy statement for a financial year may also set out the Authority's policies for the financial year relating to the other terms and conditions applying to the Authority's chief officers.

17C.—(1) A relevant Authority's pay policy statement must be approved by the Authority before it comes into force.

(2) The first statement must be prepared and approved before the end of 31 March 2015.

(3) Each subsequent statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.

(4) The Authority may amend its pay policy statement (including after the beginning of the financial year to which it relates).

(5) As soon as is reasonably practicable after approving or amending a pay policy statement, the Authority must publish the statement or the amended statement in such manner as it thinks fit (which must include publication on the Authority's website).

17D. The Authority must, in performing its functions (above), have regard to any guidance issued or approved by the Education Minister.

17E.—(1) This section applies to a determination that —

(a) is made by a relevant authority in a financial year beginning on or after 1 April 2015 and

(b) relates to the remuneration of or other terms and conditions applying to a chief officer of the Authority.

(2) The relevant authority must comply with its pay policy statement for the financial year in making the determination.

(3) Any power to appoint officers and employees is subject to the requirement in subsection (2).*'*

Mr Steven Agnew

Amendment 22 *[Negatived on a cross community vote]*

Schedule 2, Page 10, Line 3

At end insert -

'Living Wage Accredited Employer

2A. The Education Authority must become a living wage accredited employer in accordance with the accreditation scheme administered by the Citizens UK Living Wage Foundation before the end of 31 March 2016.*'*

Mr Steven Agnew

Northern Ireland Assembly

Papers Presented to the Assembly on 21 October 2014

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
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 22 October 2014

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	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	
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14				
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			
Insolvency (Amendment) Bill 39/11-16	07.10.14							
Off Street Parking Bill 40/11-16	13.10.14	21.10.14						

2011-2015 Mandate
Non-Executive Bills

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14			
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13							

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.